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Volume XII TRANSCRIPT OF RECORD

SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1946

No. 38

NATIONAL LABOR RELATIONS BOARD, PETITIONER

DOENELLY GARMENT COMPANY, DONNELLY GARMENT WORKERS' UNION AND INTERNATIONAL
LADIES' GARMENT WORKERS' UNION

No. 39

INTERNATIONAL LADIES' GARMENT WORKERS' UNION, PETITIONER

DONNELLY GARMENT COMPANY, DONNELLY GAR-MENT WORKERS' UNION AND NATIONAL LABOR RELATIONS BOARD

ON WRITE OF CERTIOCARI TO THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE EIGHTH CHROUIT

PETETIONS FOR CERTIORARI PILED SANUARY 89, 1946 CHRISTIANI GRATTER APRIL 88, 1946

Nos. 786 - 787 VOLUME XII. RECORD.

JAN 29 1946
CHARLES ELMONE CHOPLEY
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United States Circuit Court of Appeals

No. 12,641

DONNELLY GARMENT COMPANY, A CORPORA-TION, PETITIONER,

*NATIONAL LABOR RELATIONS BOARD, RESPONDENT.

DONNELLY GARMENT WORKERS' UNION, INTERVENER.

INTERNATIONAL LADIES' GARMENT WORKERS'

ON PETITION FOR REVIEW OF ORDER OF NATIONAL LASOR RELATIONS BOARD.

FILED AUGUST 5, 1943.

Testimony and Exhibits in Case No. 12,641.

United States Circuit Court of Appeals

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Judgment

Findings of Fact and Conclusions of Law

In the District Court of the United States for the Western Division of the Western District of Missouri.

Donnelly Garment Company, a Corporation, and Donnelly Garment Sales Company, a Corporation, Plaintiffs,

International Ladies' Garment Workers' Union, an unincorporated association, et al., Defendants,

Donnelly Garment Workers' Union, an unincorporated association, et al., Interveners.

Reed & Ingraham, Hogsett, Murray, Trippe and Depping for plaintiffs.

Mr. Frank P. Walsh, Mr. Roy W. Rucker and Mr. Jerome Walsh for defendants.

Gossett; Ellis Dietrich and Tyler for Interveners.

[fol. 7064a]

Judgment.

Now on this 27th day of April, 1939, again come all of the parties in this suit, by their attorneys of record, and this cause having heretofere come on for trial before the court upon plaintiffs' amended complaint, defendants' answer thereto, interveners's petition of intervention, and defendants' answer thereto; and the court having heard the evidence of the parties in the form of the testimony of witnesses in open court (with opportunity for cross-examination) in support of the allegations of plaintiffs' verified amended complaint and interveners' verified petition of intervention; and now the court, being fully advised in the premises, doth now find that unlawful acts have been throatened and will be committed by defendants unless restrained, and have been committed and will be continued by defendants unless restrained; that substantial and ir-

reparable injury to the property of plaintiffs and to the property of interveners will follow; that as to each item of relief prayed for by plaintiffs and interveners respectively, and as to each item of relief granted, said parties respectively, greater injury will be inflicted upon plaintiffs and interveners, respectively, by the denial of relief than. will be inflicted upon defendants by the granting of relief; and that plaintiffs and interveners respectively have no adequate remedy at law; and that the public officers charged with the duty to protect the property of plaintiffs and interveners respectively are unable and unwilling to furnish adequate protection; and that due and personal notice of this hearing has been duly given to all known persons against whom relief is sought, and also to the chief of those public officials of the county and city within which the unlawful acts have been threatened or committed, who are charged with the duty to protect the property of plaintiffs and interveners respectively; and that the plaintiffs and interveners respectively, have not failed to comply with any obligation imposed by law which is involved in the labor dispute in question, and have not failed to make every reasonable effort to settle such dispute, either by negotiation or with the aid of any available governmental machinery of mediation or voluntary arbitration; and that there has been clear proof of actual participation in, or actual authorization of, the acts hereinafter enjoined, by the defendants, or of ratification of such acts by the defendants after actual knowledge thereof; and that issuance of a permanent injunction as prayed by plaintiffs and interveners respectively and as hereinafter granted, [fol. 7064b] is necessary to prevent immediate and irreparable injury to plaintiffs and interveners, respectively, by reason of threatened loss and damage to plaintiffs and interveners and each of them, from violation by defendants of the Anti-Trust Laws of the United States, and from unlawful acts and threatened attempts by defendants to destroy the rights of plaintiffs and interveners respectively:

And as the basis of this decree, the court makes and files in the record of this cause, prior to the issuance of the injunction hereinafter granted, findings of fact and conclusions of law, which constitute the grounds of the court's action herein;

And the court further finds that the injunction hereinafter granted includes only a prohibition of such specific acts as are expressly complained of in plaintiffs' amended bill of complaint and in interveners' intervening petition, respectively, and as are expressly included in said findings of fact made and filed by the court as aforesaid.

Wherefore, It Is Now By The Court Considered, Ordered, Adjudged and Decreed, that the defendants International Ladies' Garment Workers' Union, an unincorporated association, David Dubinsky, president, secretary and treasurer of said association, and members of the general executive board, Meyer Perlstein, Southwest Regional Director of said association, Wave Tobin, manager of Kansas City Joint Board of International Ladies' Garment Workers' Union, and all other members of said union (who are too numerous to mention), and each of them, and their officers, agents, servants, employees and representatives, and each of them, and all persons acting under the authority, direction or control of defendants or any of them, be and they are now by the court permanently and perpetually enjoined:

- 1. From engaging in any act of fraud or violence, or in any threat thereof, at or near the premises of plaintiff's place of business at 1828 Walnut Street, Kansas City, Missouri, or at any other place or places whatsoever, in anywise calculated or tending to interfere with, disturb or injure any officer, agent, employee or customer of plaintiffs, or the business of plaintiffs or any of plaintiffs' customers.
- 2. From doing any act or acts of fraud or violence or making any threats thereof, calculated or tending to injure or interfere with the businesses of plaintiffs, or to injure or interfere with the businesses of plaintiffs' customers [fol. 7064c] on account of said customers dealing in or handling plaintiffs' products, or calculated or tending to interfere in any way with trade or commerce between plaintiffs and their customers, or to interfere with or molest any employee of plaintiffs or any person or persons making delivery of goods or parcels to or from plaintiffs' place of business or to or from plaintiffs' customers.

- 2. From interfering in any way, involving fraud or violence or threats thereof, with the contracts existing between the plaintiffs and the Donnelly Garment Workers' Union, or with any contracts which plaintiffs and said Donnelly Garment Workers' Union may hereafter negotiate or make, or with the due performance of said contracts by any party thereto.
- 4. From attempting, by fraud or violence or threats thereof, to compel or induce any of the employees of plaintiffs to withdraw or resign from the voluntary association of employees designated as Donnelly Garment Workers, Union; and from attempting, by fraud or violence or threats thereof, to compel or induce any of said employees, to join the International Ladies, Garment Workers, Union or any subdivision or local unit thereof.
- 5. From announcing, charging, publishing, circulating or causing to be announced, charged, published or circulated, any knowingly false and fraudulent statements regarding wages, hours of labor, or working conditions in plaintiffs' plant, or regarding their labor policies, or, the ability of plaintiffs to fill orders for merchandise.
- 6. From conducting, threatening, instigating, or causing or attempting to conduct, threaten or instigate a secondary boycott or picketing of any of plaintiffs' customers or of any of the places of business of plaintiffs' customers.
- 7. From notifying or requesting plaintiffs' customers or members of the public, by or on the strength of knowingly false and fraudulent statements, or by or with violence or threats thereof, not to patronize plaintiffs' or purchase plaintiffs' products or merchandise; and from interfering or attempting to interfere in any manner, involving fraud or violence or threats thereof, with the business of the customers of plaintiffs, wheresoever situated; and from boycotting any of said customers or picketing their places of business because of their buying, selling, handling or dealing in plaintiffs' products; and from issuing or distributing circulars [fol. 7064d] or written or printed matter, and from making or uttering verbal statements, containing any knowingly

false and fraudulent statements calculated or tending to injuriously affect the business of plaintiffs of their said customers; and from issuing any knowingly false and fraudulent written or verbal statements calculated or tending to prevent any person or persons from purchasing the goods produced or sold by plaintiffs; and from doing any other act or thing whatsoever, involving fraud or violence or threats thereof, calculated or tending to interfere with the business dealings of plaintiffs or their customers.

And now it is by the court further considered, ordered, adjudged and decreed that all injunction bonds given by plaintiffs or interveners in this cause be and the same are now released and discharged, and that all liability thereon be and the same is now ended.

And now it is by the court further considered, ordered, adjudged and decreed that the plaintiffs and interveners respectively have and recover of and from the defendants their costs herein.

ANDREW MILLER, United States District Judge

[fol. 7064e]

Findings of Bact.

The court makes and files in the record of this cause the following findings of fact:

1. Plaintiff Donnelly Garment Company, a corporation organized under the laws of the state of Missouri, is engaged in the manufacture and sale of ladies' house dresses and wash frocks under the trade name of "Nelly Don." Plaintiff Donnelly Garment Sales Company, a corporation organized under the laws of the state of Missouri, is engaged exclusively in the sale and distribution of ladies' house dresses and wash frocks manufactured by the Donnelly Garment Company under its trade name "Nelly Don." Plaintiffs are and were, during the times complained of, engaged in interstate trade and commerce, bringing raw materials from outside the state of Missouri, and manufacturing the same in the state of Missouri, and selling over 80 per cent of the finished product outside the state of Missouri.

- 2. The defendant, International Ladies' Garment Workers' Union (hereinafter referred to as International), is an unincorporated association composed of members, many of whom reside in the Western Division of the Western District of Missouri; and the individual defendants are officers, members of the Executive Board, members, agents or servants of said International.
- 3. The interveners are members of the Executive Committee of the Donnelly Garment Workers' Union, an unincorporated association, formed and administered by all of the employees of plaintiffs, exclusive of officers, executives and persons with authority to employ or discharge.
- 4. On March 2, 1937, about three or four days after the International had publicly announced in the Kansas City press its intention to organize the plant of the Donnelly Garment Company, 1,185 of plaintiff's employees (being all but three of the then employees, excluding those with authority to hire or discharge) in a writing delivered to plaintiffs refused to acknowledge or accept the International as their representative.
- On March 9, 1937, the International mailed to the Donnelly Garment Company a letter asserting certain alleged "grievances" pertaining to wages, hours and working conditions in the Donnelly Garment Company plant. [fol. 7064f] The statements of fact in said letter, upon which the alleged "grievances" were based, were false and fraudulent statements, known by the writers of the letter to be false when the letter was written; and the purported "grievances" therein were not stated in good faith, but were stated fraudulently for the purpose of making it ostensibly appear to plaintiffs' customers, the consuming public and the courts that there was some basis for said "grievances", when in fact there was no basis therefor. Said letter did not represent a bona fide attempt by the International to negotiate or adjust a labor dispute, but was merely part of a scheme by the International to organize the plaintiffs' employees as members of the International. No bona fide demand concerning "terms and conditions of employment" or concerning "the association or representation of persons in negotiating, fixing, maintaining, changing or seeking to arrange terms or condi-

tions of employment," was being made by any of the defendants upon plaintiffs in said letter, or at the time this suit was filed.

- Shortly after the Supreme Court of the United States sustained the validity of the National Labor Relations Act, and on April 27, 1937, one hundred per cent of plaintiffs' employees (other than officers, executives and those with authority to hire or discharge) voluntarily formed and became members of the Donnelly Garment Workers' Union, and unanimously designated and selected the nine members of the Executive Committee of said union as their sole representatives for the purposes of collective bargaining with plaintiffs in respect to rates of pay, wages, hours of employment and all other conditions of employment, and all matters for their mutual aid and protection. Said employees have at all times freely administered and maintained said union. At the time of the formation of said union and at all times since, none of said employees have been or are members of the defendant International.
- 7. On May 27, 1937, after negotiations between plaintiffs and the Executive Committee of the Donnelly Garment Workers' Union, a written contract was made and entered into between Plaintiffs and the Donnelly Garment Workers' Union, which was supplemented thereafter on June 22, 1937, by a supplemental contract between the same parties, which contracts provided for wages, rates of pay, hours of employment and all other conditions of employment. Said contracts provided that plaintiffs were bound to and did recognize the Donnelly Garment Workers' Union as the sole bargaining agency on behalf of all of their said employees. Said contracts were and are satisfactory to all parties thereto, and the same have been at all times since and are now recognized by the parties as [fol. 7064g] in full force and effect. By the aforesaid negotiations and contracts all matters of agreement between plaintiffs and their employees concerning terms and conditions of employment, and concerning the association and representation of plaintiffs' employees in negotiating, fixing, maintaining, changing and seeking to arrange terms

and conditions of employment, were fully fixed, established, settled and determined; and at all times since the making of said contracts there has been and is now no controversy or dispute of any kind between plaintiffs and any of their employees concerning any of those matters. At all said times, and up to the time this suit was filed, and ever since, complete harmony has prevailed between plaintiffs and their employees, and all parties to the contracts were and are satisfied therewith. The terms and conditions of said contracts are more favorable to the employees than the terms and conditions contained in any contract between the International and any manufacturer of house dresses and wash frocks introduced in evidence in this cause.

- 8. Plaintiff Donnelly Garment Company is and has been continuously since its incorporation a manufacturer of house dresses and wash frocks (so-called "cotton garments") and is classified in the industry as such and is not classified as a "ready-to-wear" manufacturer (so-called "silk dress" manufacturer). According to the established custom in the industry the rates of pay of piece work operators in the "ready-to-wear" industry (so-called "silk dress" industry) do not apply to the rates of pay of piece work operators in the "house dress and wash frock" industry (so-called "cotton garment" industry).
- 9. At all times which are material in this case the wages actually paid by plaintiffs to their employees for various kinds of work were, and are now, in excess of wages paid to similar employees for the same or similar kinds of work by other manufacturers of ladies garments operating under any of the contracts with the International which are in evidence, whether said manufacturers were engaged in the ready-to-wear industry or in the house dress and wash frock industry.
 - 10. Notwithstanding the entirely harmonious relations between plaintiffs and their employees, the International, its officers, the General Executive Board, and its Southwest Regional Director, Meyer Perlstein, several months prior to the institution of this suit, entered into a combination and conspiracy for the sole and only purpose of compelling plaintiff's employees to join the International and accept [fol. 7064h] the International as their exclusive bargaining agent for the purposes of collective bargaining.

- 11. Pursuant to said combination and conspiracy, and in carrying forward the same, the International, its officers, General Executive Board, agents and members have threatened to and have in fact caused to be published and circulated among plaintiff's customers and the consuming public false statements regarding wages, rates of pay, hours of labor and working conditions in plaintiff's plant, and have attempted to induce said customers and the consuming public to boycott plaintiff's goods, and have threatened plaintiff's customers with a secondary boycott of their places of business and with picketing of the same upon refusal by such customers to discontinue purchasing or selling plaintiff's merchandise.
- 12. Pursuant to said combination and conspiracy and in carrying forward the same, the International, its officers, General Executive Board, agents and members have threatened or caused to be threatened the use of physical violence against plaintiff's employees for the purpose of intimidation of plaintiffs and their employees.
- 13. The International, its chief officers and General Executive Board, and its Southwest Regional Director, Meyer Perlstein, have authorized, ratified and confirmed or approved the use of assaults, physical violence and threats thereof, and publication of false statements, and the use and threats of a secondary boycott, as means of destroying the business of garment manufacturers, including plaintiffs, unless they recognize the International as the exclusive bargaining agent for their employees, and compel their employees to join the International.
- 14. The acts and threats of defendants, by this court found to have been established by the evidence, and by this court found to be unlawful, were acts and threats in pursuance of a combination and conspiracy on the part of the International, its chief executive officers, its General Executive Board, its Southwest Regional Director (Meyer Perlstein), its Kansas City Manager (Wave Tobin), and its agents, Jane Palmer, Esther Smith, Grace Bullard, Mary Jane Miller and others, the object and purpose of which combination and conspiracy was to injure and destroy plaintiff's business (and thereby to restrain, burden, obstruct, interrupt and destroy plaintiff's interstate trade

and commerce), as a means of coercing plaintiff's to recept their employees to join the International and to accept the International as their sole bargaining representa-[fol. 7064i] tive in respect to rates of pay, wages, hours of employment and other conditions of employment.

- 15. The acts and threats of defendants which are found by this court to have been established by the evidence, and which are by this court declared to be unlawful, will, unless enjoined, materially burden, obstruct, interrupt and destroy plaintiff's interstate trade and commerce, causing immediate and irreparable loss and damage to each of the eplaintiffs far in excess of \$3,000.00.
- 16. The defendants' unlawful acts hereinabove described have been threatened and will be committed unless restrained, and have been committed and will be continued unless restrained; and substitutial and irreparable injury to plaintiffs' property will follow; and as to each item of relief prayed for and granted, greater injury will be inflicted upon plaintiffs and interveners by the denial of relief than will be inflicted upon defendants by the granting of relief; and plaintiffs and interveners have no adequate remedy at law; and the public officers charged with the daty to protect plaintiffs' property are unable and unwilling to furnish adequate protection.
- 17. After plaintiffs received from 1,183 of their employees on March 2, 1937, the employees' protest against any acknowledgment or dealing with the International as the representative of said employees, and after the aforesaid negotiations and the making of the aforesaid contracts with their employees, and before the time this suit was begun, plaintiffs definitely determined that they could not attempt to compel or influence any of their employees against their will and free choice to become members of or to be represented by the International, and could not negotiate, mediate or arbitrate any demand by defendants of the abrogation of plaintiffs' contracts with their employees, or for the nullification of their employees' rights of self-organization and collective bargaining through representatives of their own choosing.

- At no time after the plaintiffs on March 2, 1937, were notified by their employees of their refusal to accept the defendant union as a bargaining agent, was there any thing which the plaintiffs or interveners could reasonably have offered to the defendants by way of compromise or settlement of the dispute which had arisen; and any settlement between plaintiffs or interveners and defendants of any alleged controversy or alleged dispute between plaintiffs or interveners and defendants, or of any demand by defendants upon plaintiffs, was at all times after March 2, 1937, utterly impossible; and any attempt at such a settlement by plaintiffs, or interveners, either by negotiation or [fol. 7064j] with the aid of any available governmental machinery of mediation or by voluntary arbitration, would have been and was at all said times, entirely and obviously useless and unreasonable? .
- 19. In conferences which occurred on January 20, 1939, February 4, 1939, and April 1, 1939, between duly authorized representatives of the plaintiffs, defendants and interveners, and in the letters which passed between the parties shortly following each of said conferences, plaintiffs and interveners did in fact make every reasonable effort to settle the dispute with defendants by negotiation, and with the aid of available governmental machinery of mediation (that is, through representatives of the National Labor Relations Board) and through voluntary arbitration; and the failure to settle such dispute was not due to any fault or unreasonable attitude or position taken by plaintiffs or interveners.
- 20. Plaintiffs and interveners have not failed to make every reasonable effort to settle the dispute with defendants either by negotiation or with the aid of any available governmental machinery of mediation or by voluntary arbitration.
- 21. Due and personal notice of this hearing has been duly given by plaintiffs and interveners (although this court has not directed or required the giving of any such notice) to all known persons against whom relief is sought, and also to the chief of those public officials of the county and convenient within which the unlawful acts have been threat-

ened or committed, charged with the duty to protect plaintiffs' property.

- 22. There has been clear proof of actual participation in, or actual authorization of, the acts to be enjoined, or ratification of such acts, by the defendants after actual knowledge thereof.
- 23. Plaintiffs did not at any time discriminate against their employees on account of affiliations with defendant International; and at and long before the time this suit was filed the plaintiffs' employees unanimously were protesting against any interference in their affairs by the International, and the International was not the representative of any of said employees for the purposes of collective bargaining or otherwise.

[fol. 7064k] Conclusions of Law

The court now files in the record of this cause the following conclusions of law:

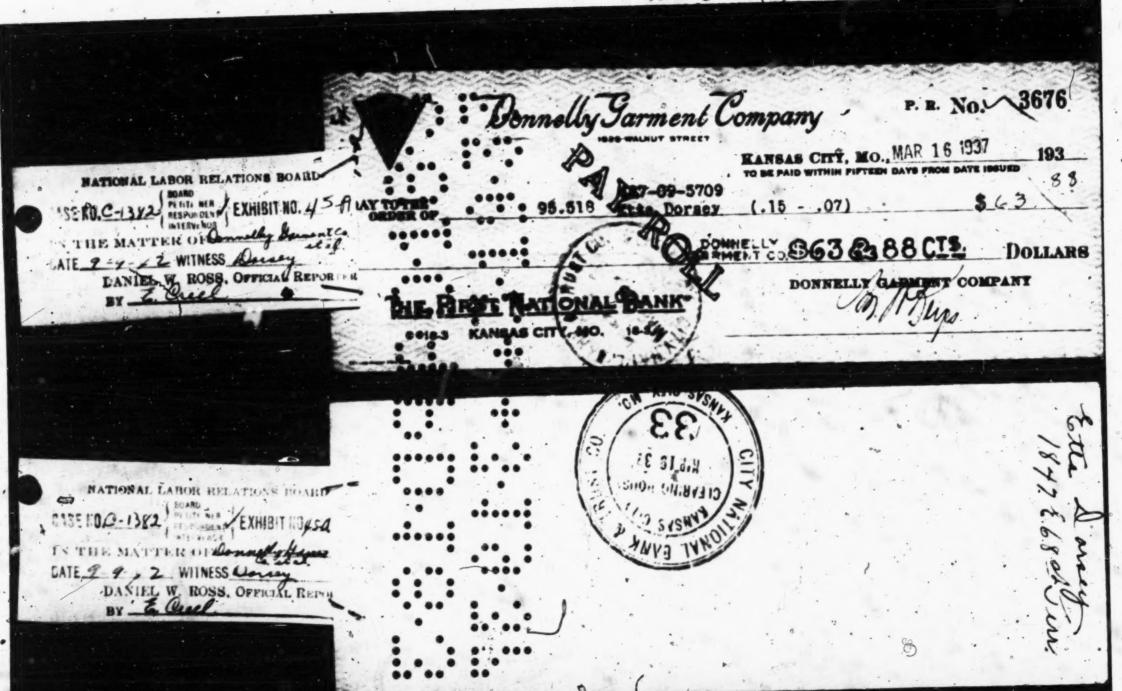
- 1. This court has jurisdiction of this suit because it is a suit of a civil nature in equity wherein the matter in controversy exceeds, exclusive of interest and costs, the sum and value of \$3,000.00, and which arises under the Anti-trust Laws of the United States (15 U. S. Code, Secs. 1, 26).
- 2. The fact that on August 8, 1938, the International Ladies' Garment Workers' Union filed charges against the plaintiff Donnelly Garment Company with the National Labor Relations Board, and that on April 7, 1939, a complaint was filed against said company by said Board, does not in any way affect the jurisdiction of this court in this suit.
 - 3. Section 8 of the Norris-LaGuardia Act (29 U. S. Code, Sec. 108) is not to be construed so as to require of plaintiffs or interveners a mere idle ceremony; and the court having found as a fact that any settlement between plaintiffs and defendants or between interveners and defendants of the controversies between them was impossible, and that any attempt at such a setlement, by negotiation, mediation or arbitration, would have been use-

less, such an attempt was not required of plaintiffs or interveners as a condition precedent to the plaintiffs' or interveners' right to injunctive relief.

- 4. Section 8 of the Norris-LaGuardia Act (29 U. S. Code, Sec. 108) did not require any effort on plaintiffs' or interveners' part to settle the dispute with defendants where such an effort would have been unreasonable; and the court having found as a fact that any attempt by plaintiffs or interveners to settle the controversy with defendants by negotiation, governmental mediation or arbitration, would have been unreasonable, such an attempt was not required of plaintiffs or interveners as a condition percedent to plaintiffs' or interveners' right to injunctive relief herein.
- 5. The plaintiffs and interveners have not in any respect failed to comply with any obligation imposed upon them by any law involved in the labor dispute in question. This suit involves or grows out of a labor dispute.
- 6. The publication and circulation by the International Ladies' Garment Workers' Union of false statements of fact regarding plaintiffs' treatment of their employees, [fol. 70641] for the purpose of injuring plaintiffs' business, was unlawful, and constituted a fraud upon plaintiffs.
- 7. The International's threat to cause secondary boycotts of plaintiff's customers and to picket such customers' places of business, unless such customers would cease buying plaintiff's products, was unlawful.
- 8. The International's threats to use physical violence and acts of terrorism and intimidation against plaintiff's employees, as a means of coercing plaintiffs to require their employees to join the International and accept the International as the representative of such employees for purposes of collective bargaining, was unlawful.
- 9. The wrongful acts and threats of the defendants, found to have been established by the evidence, constitute a restraint upon plaintiffs' interstate trade and commerce, in violation of the Anti-trust Laws (15 U. S. Code, Sec. 1).
- 10. Plaintiffs and interveners respectively have no adequate remedy at law; and are respectively entitled to a

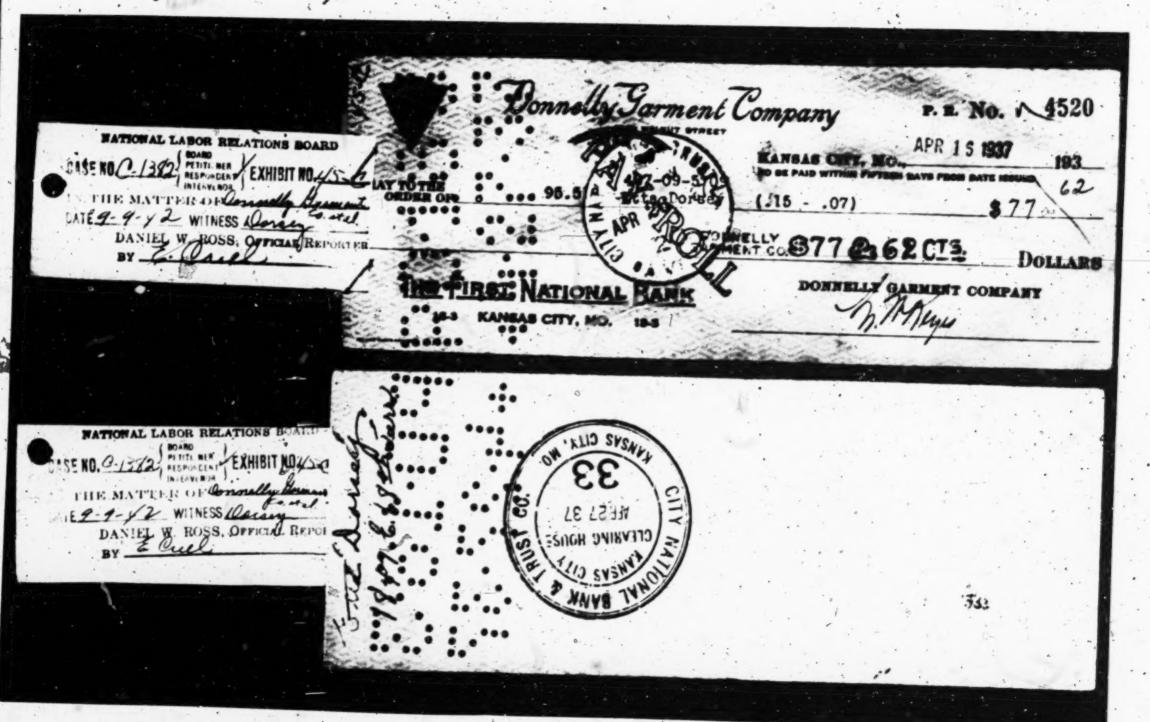
permagent injunction against the defendants, their officers, agents, servants, employees, representatives and members, and all persons acting under the authority, direction, or control of defendants, or any of them, permanently enjoining them from any and all acts of fraud or violence or threats thereof complained of in the complaint and pathetion of intervention; and from conducting, threatening, instigating, or causing or attempting to conduct, threaten or instigate a secondary boycott or picketing of any of plaintiffs' customers, or of any of the places of business of plaintiffs' customers.

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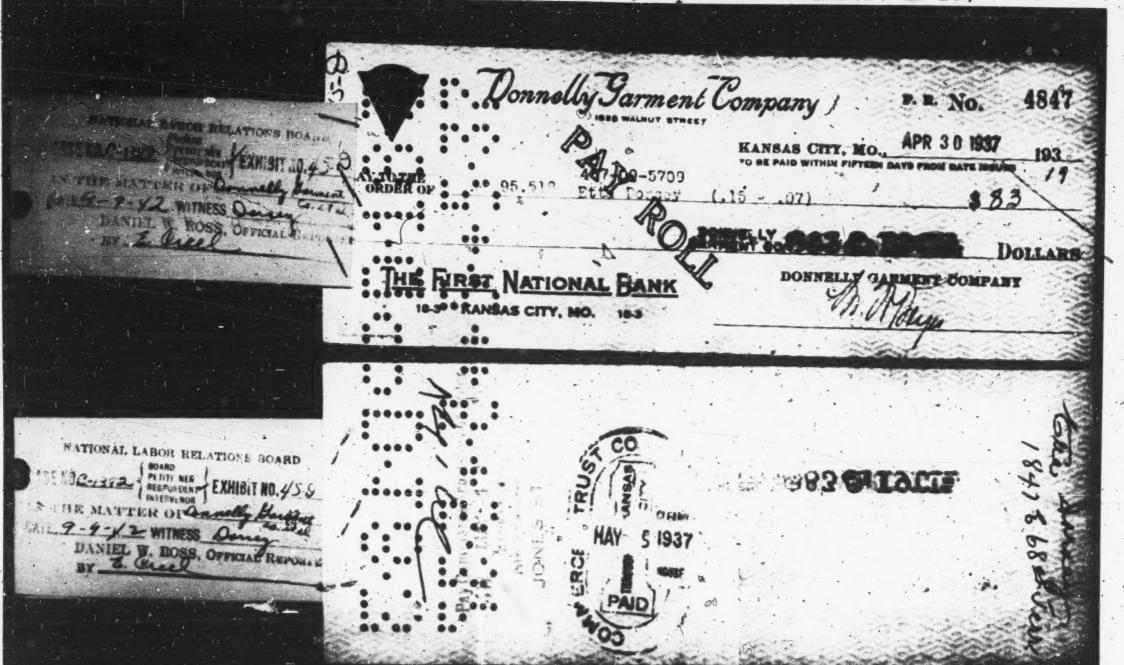


(Respondent's Exhibit 45-B.).





(Respondent's Exhibit 45-D.)



July - 15-37

do whom it may concern, -

During the post four and one half years I have been employed as operator by the Donnelly Sament Co.

Working conditions & solon, hour been very salifactory and I am very well. salufied with my present employer. I do not wish to join ony outside

organization & I feel that I than

the right to use my own judgament

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INTERVENIENT CONTROL OFFICIAL REPORTER

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DANIEL W. ROBE OFFICIAL REPORTER

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County of Jackson :

2920 Wasans

BY ROSE OFFICIAL REPORTER

State of Missouri

88.

County of Jackson :

that I wrote the attached letter of my own free will and that the facts contained therein are true.

Dated this 217 Aday of October, 1937.

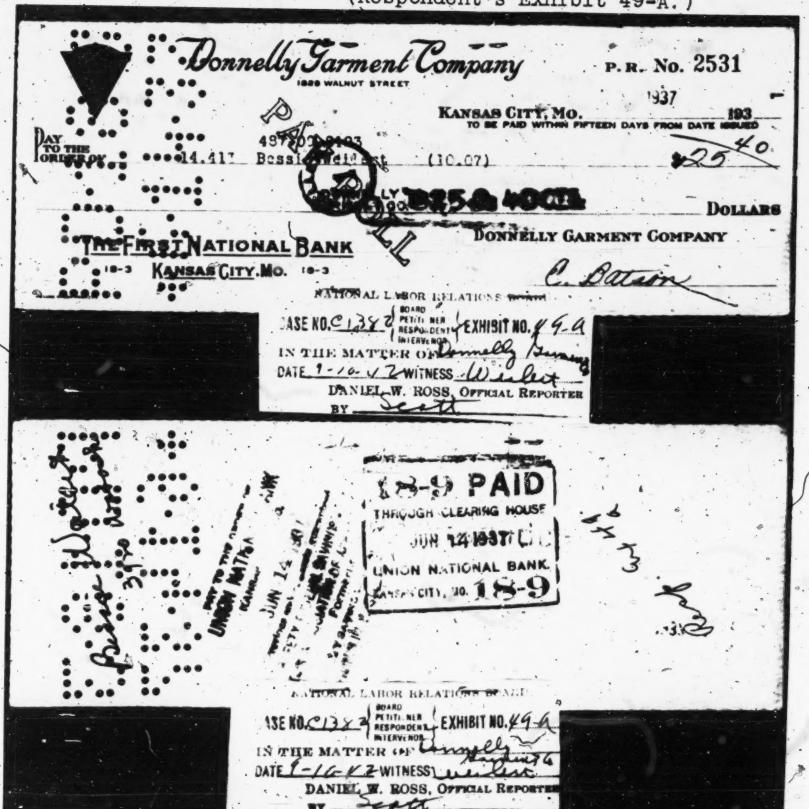
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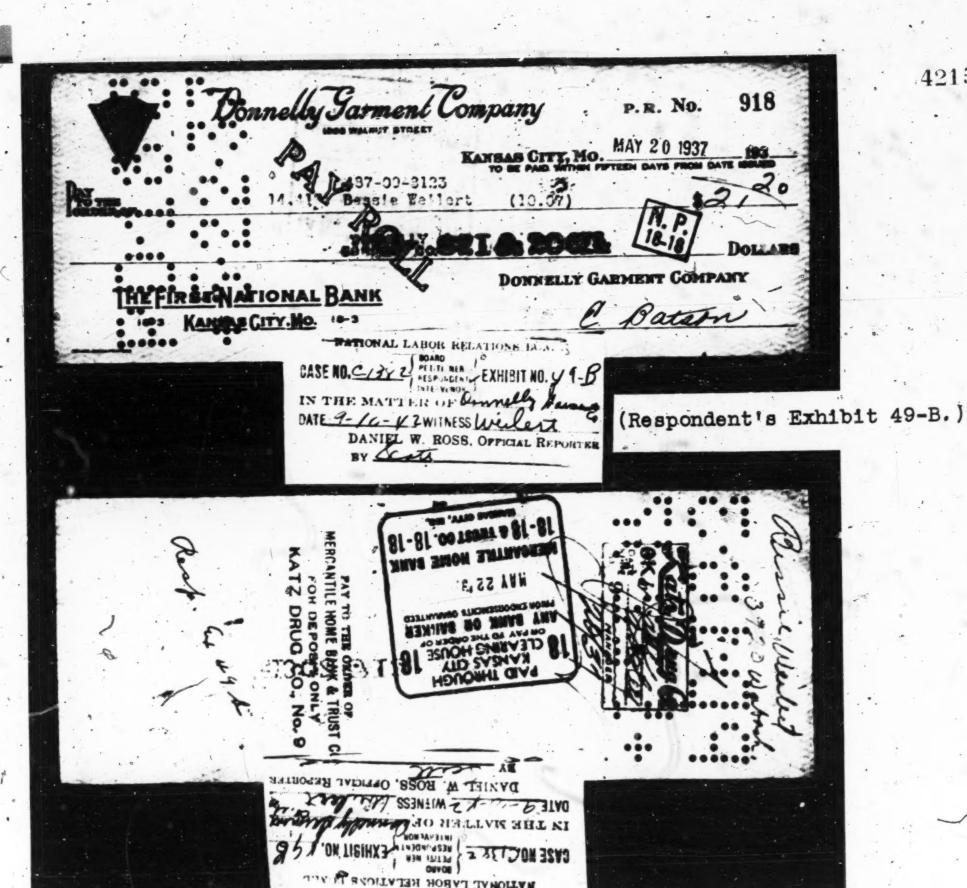
Subscribed and sworn to before me this 2114 day of October, 1937.

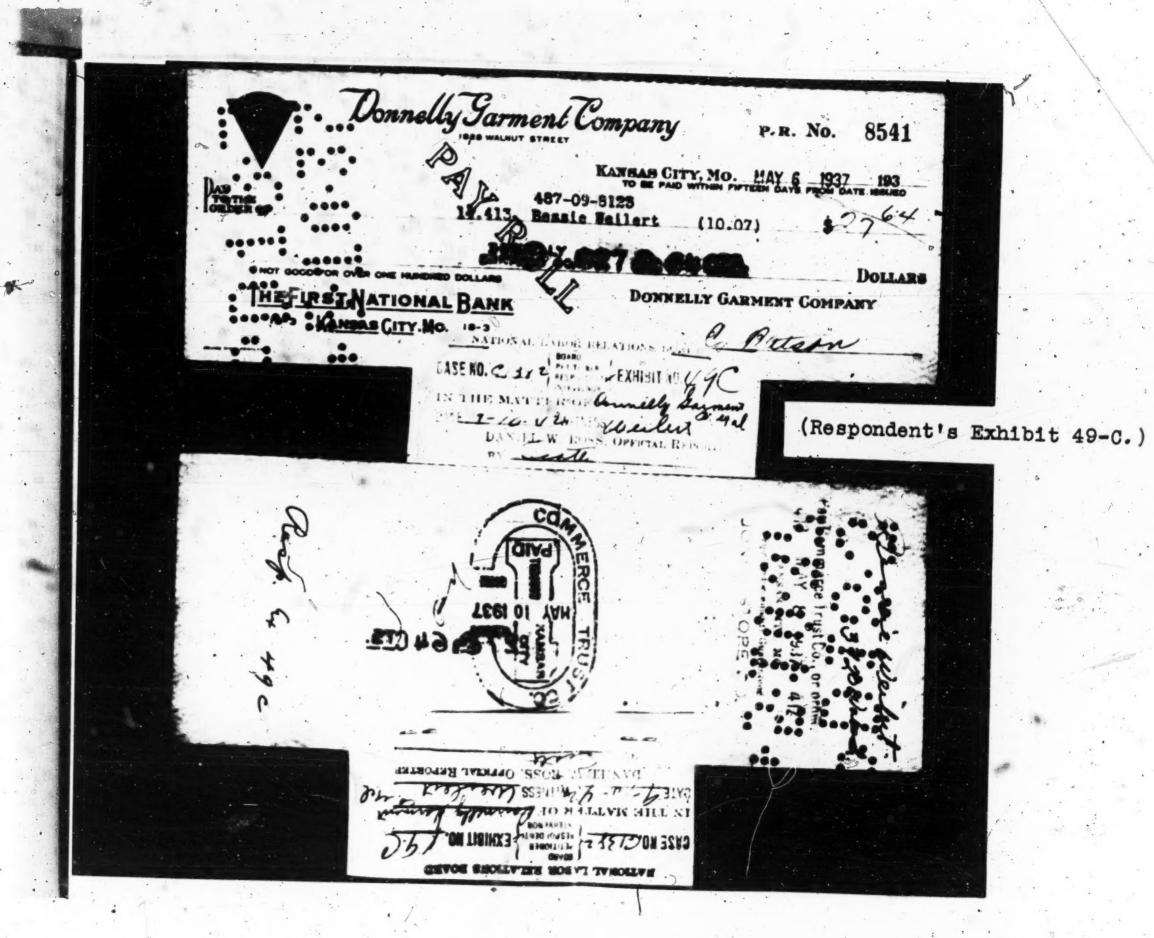
My commission expires at a massar capter sury 14 [54]

Notary Public in and for Jackson County, Missouri

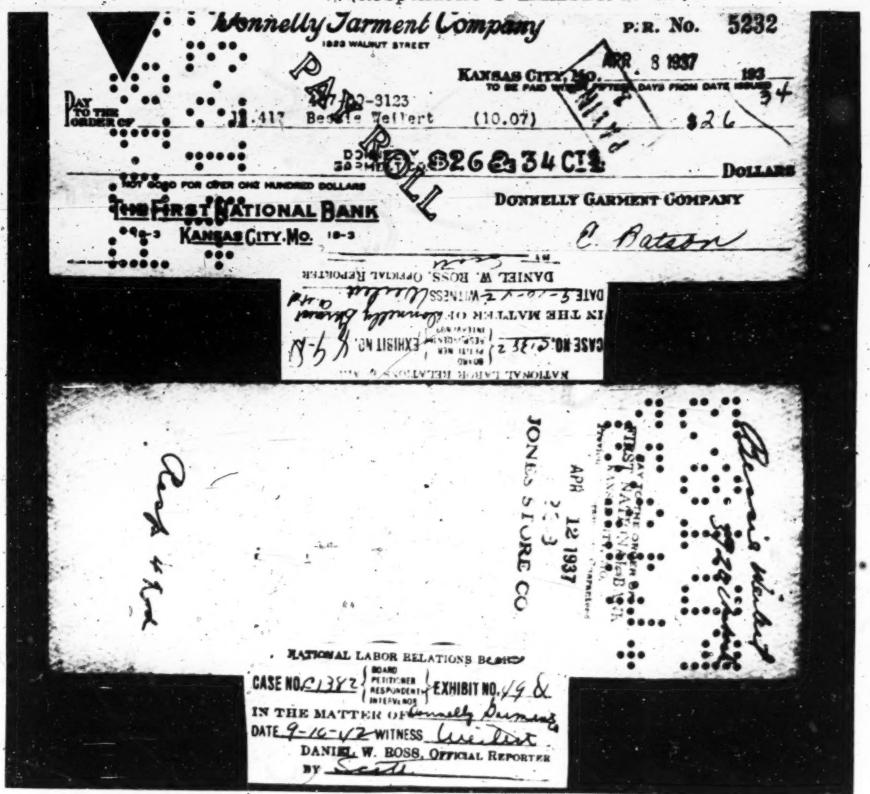
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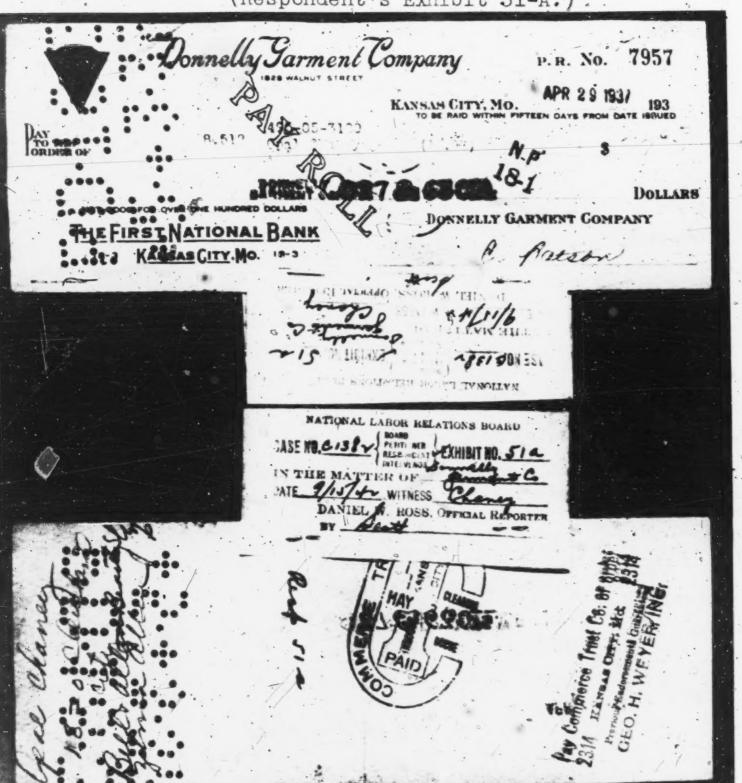




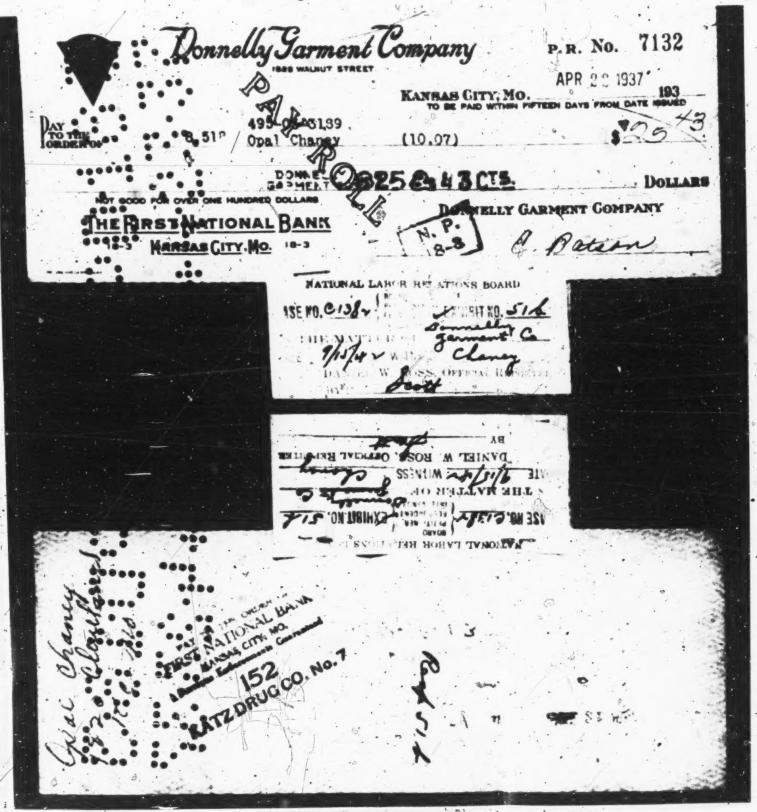
(Respondent's Exhibit 49-D.)

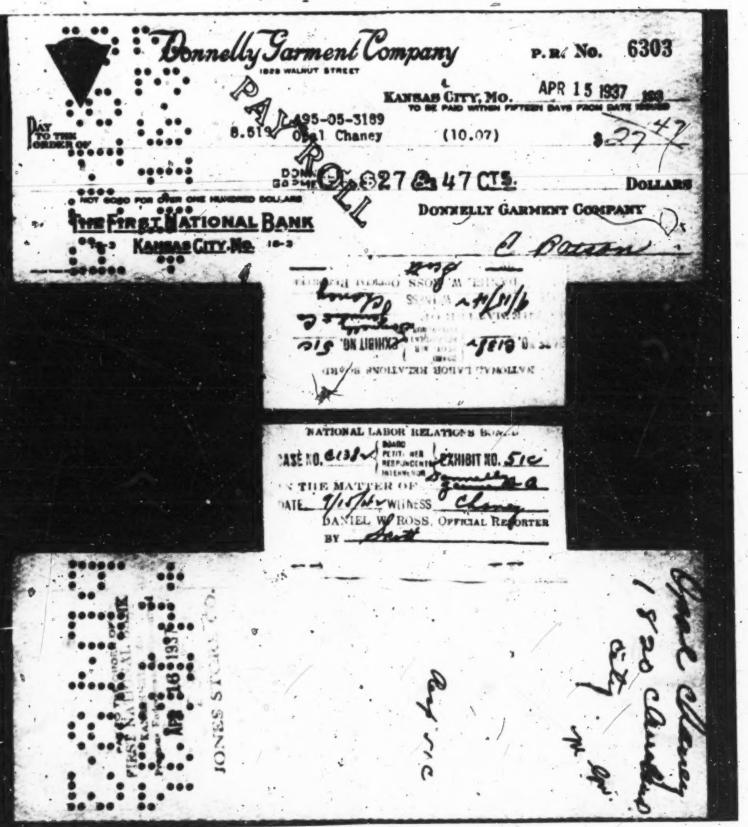


Respondent's Exhibit 49-E.) Vonnelly Jarment Company BOSS, OFFICIAL REPORTER WALLOWAL LABOR JERLATIO DANIELW. ROSS. OFFICIAL REPAIR

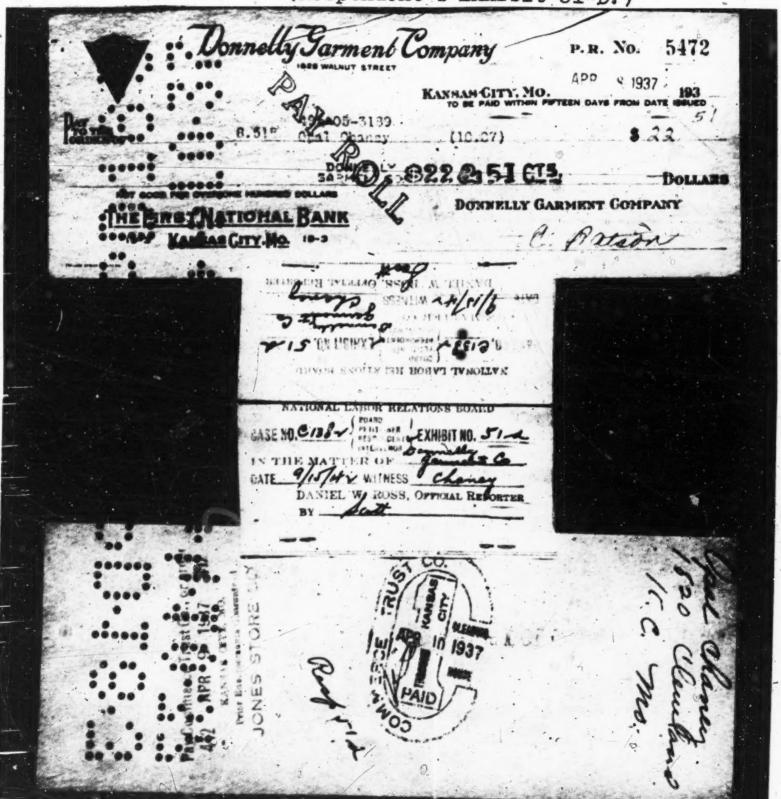


(Respondent's Exhibit 51-B.)

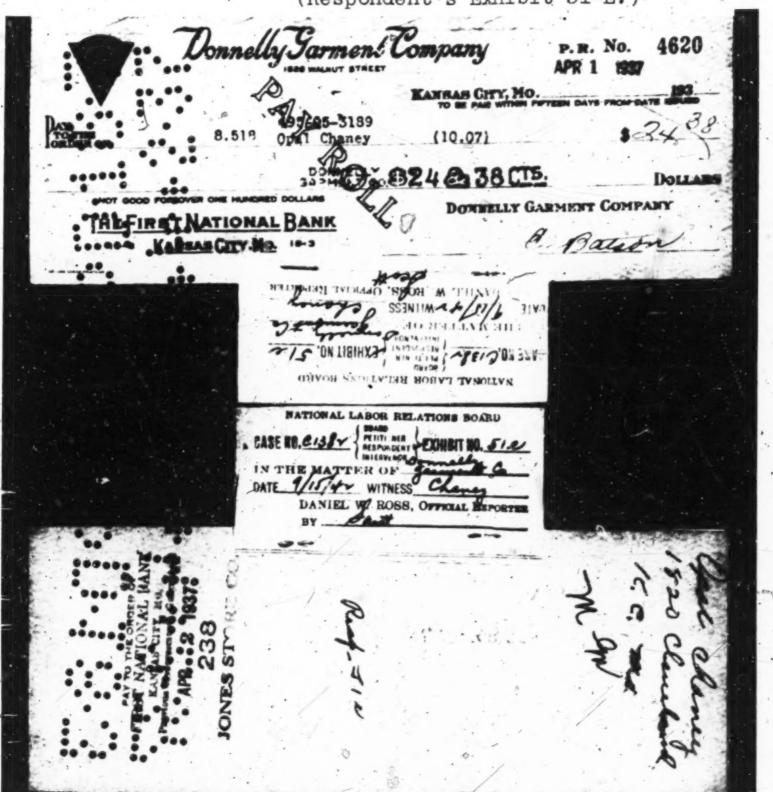


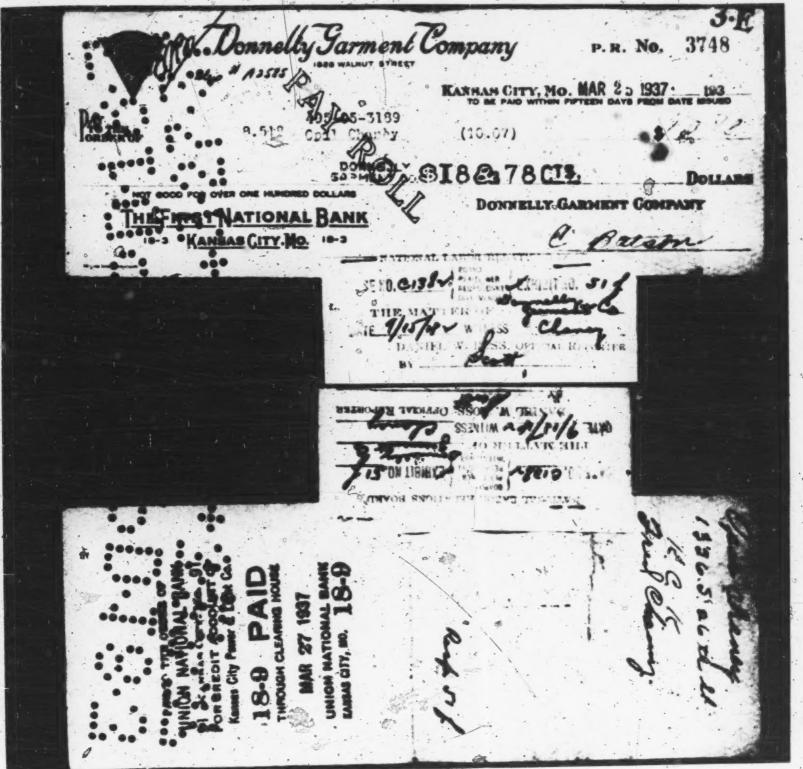


(Respondent's Exhibit 51-D.)

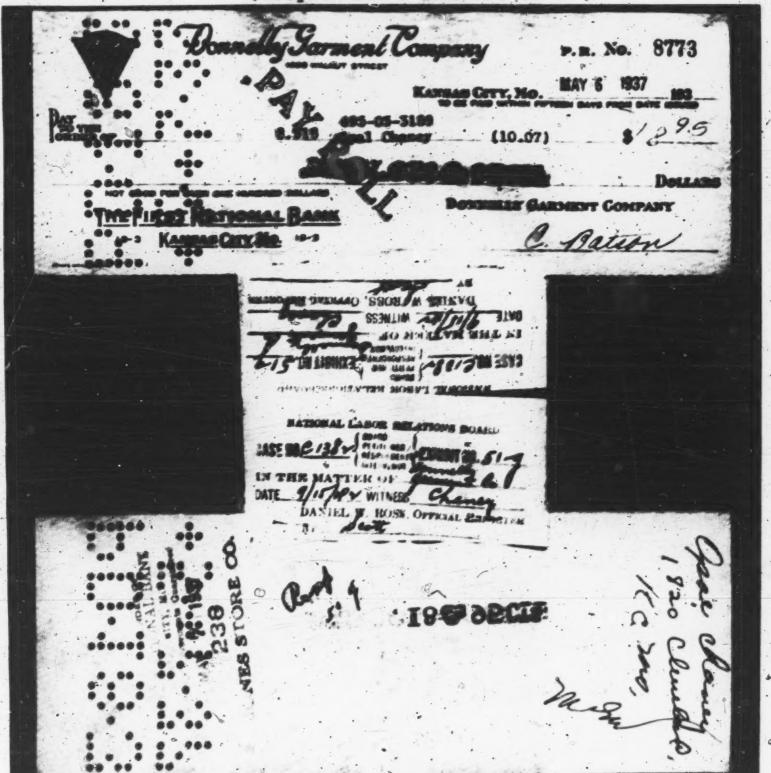


(Respondent's Exhibit 51-E.)





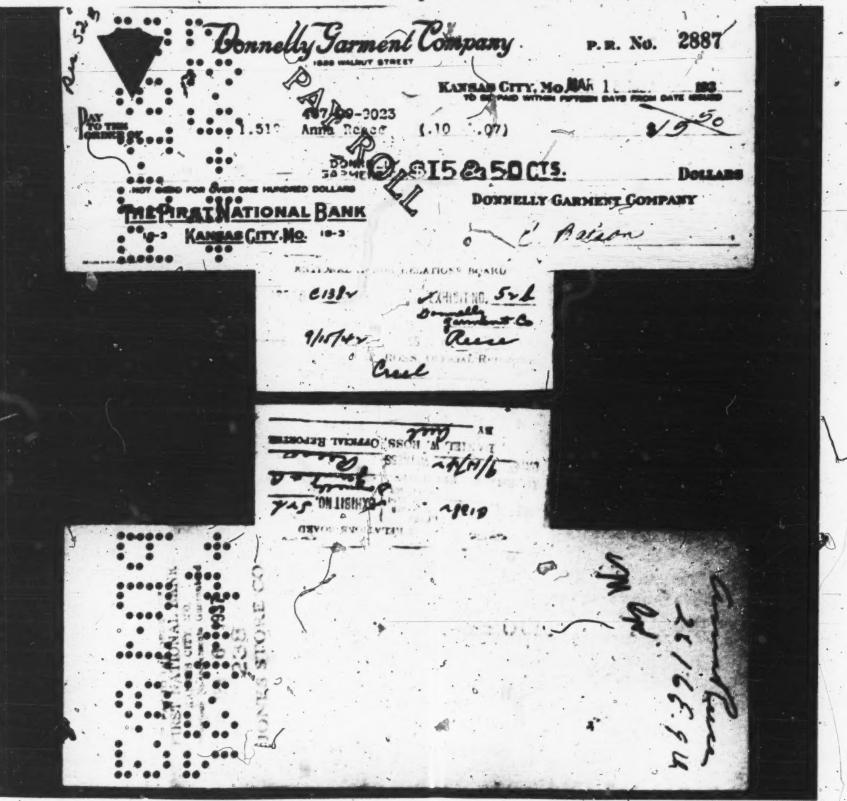
(Respondent's Exhibit 51-G.)

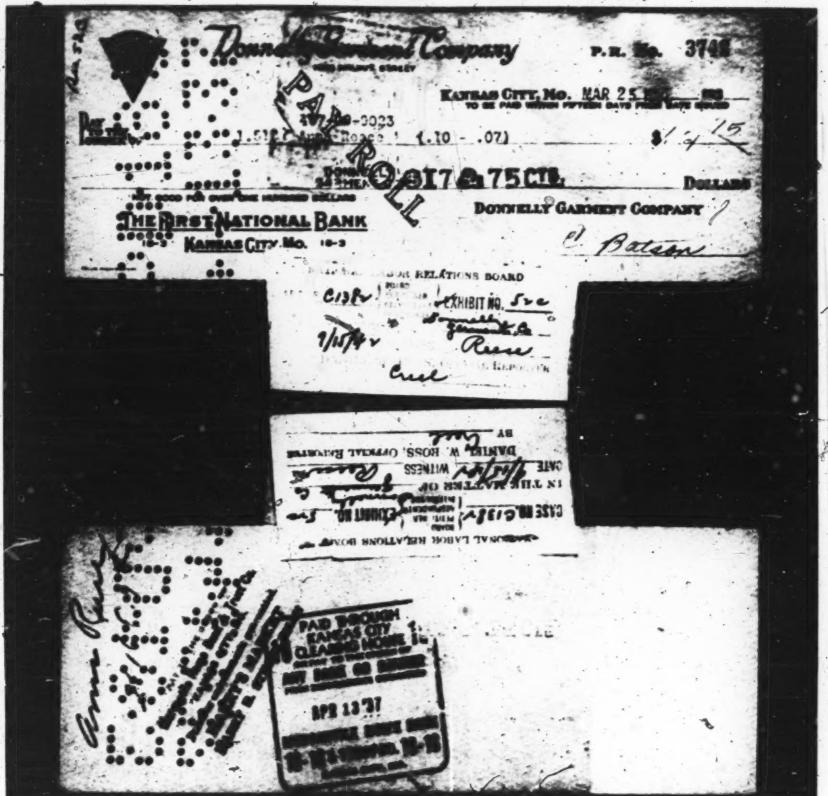


(Respondent's Exhibit 52-A.)



(Respondent's Exhibit 52-B.)



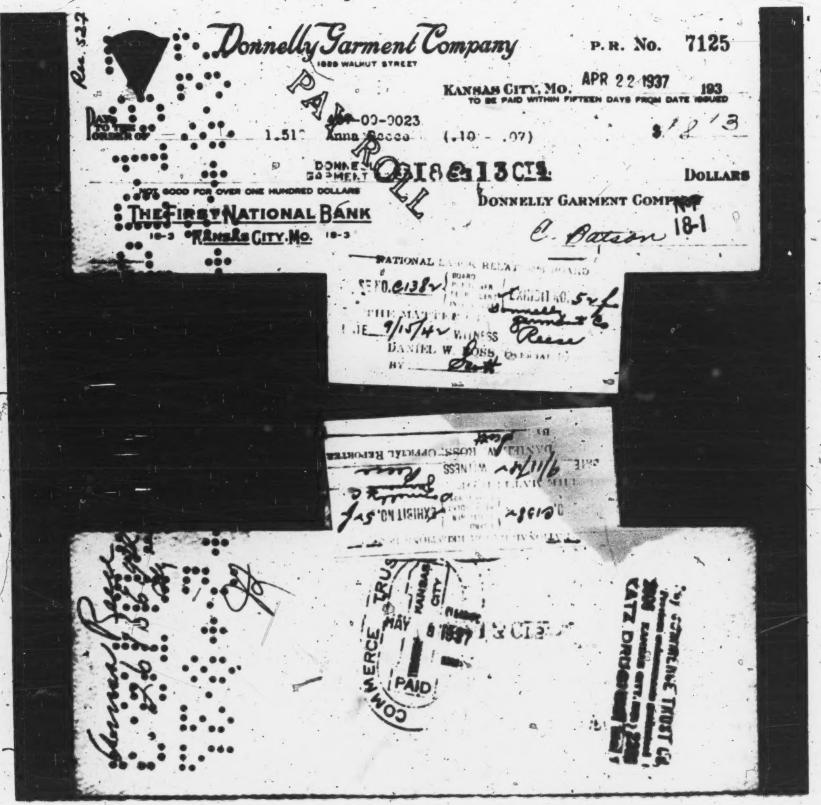


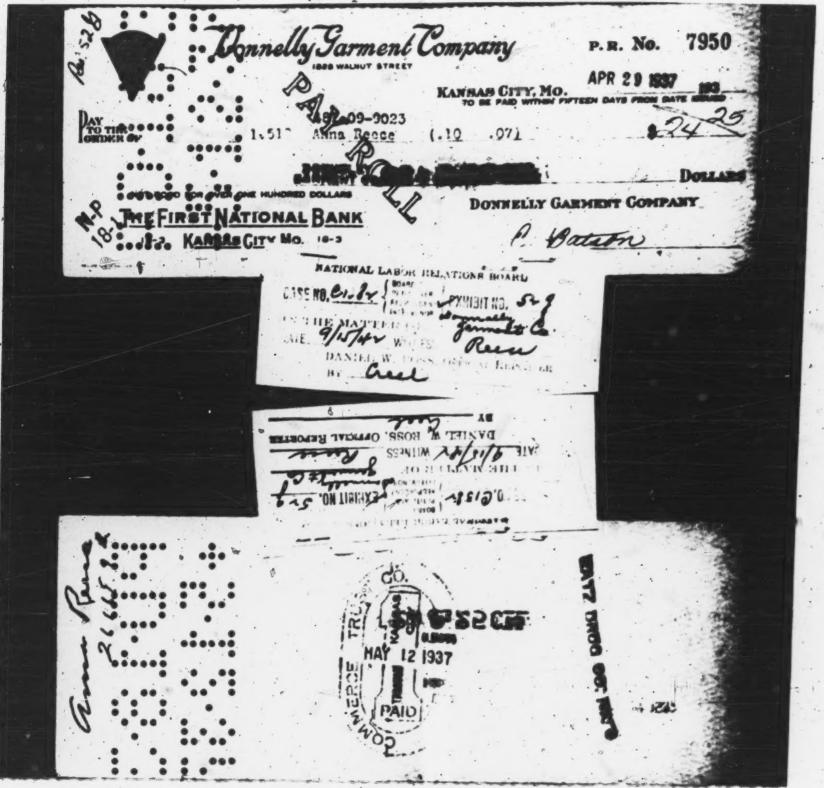
(Respondent's Exhibit 52-D.)



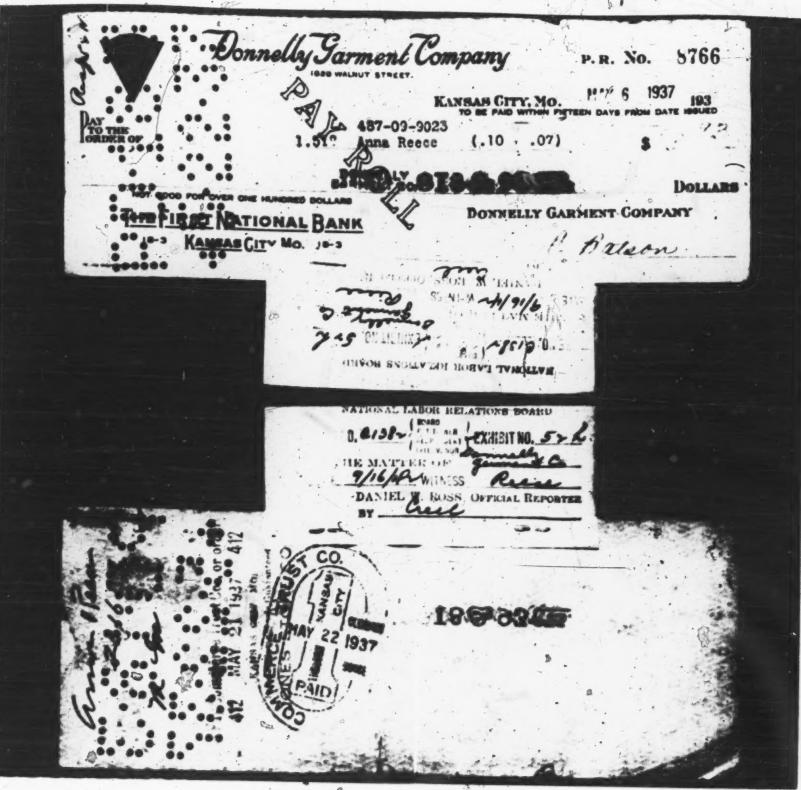
(Respondent's Exhibit 52-E.)

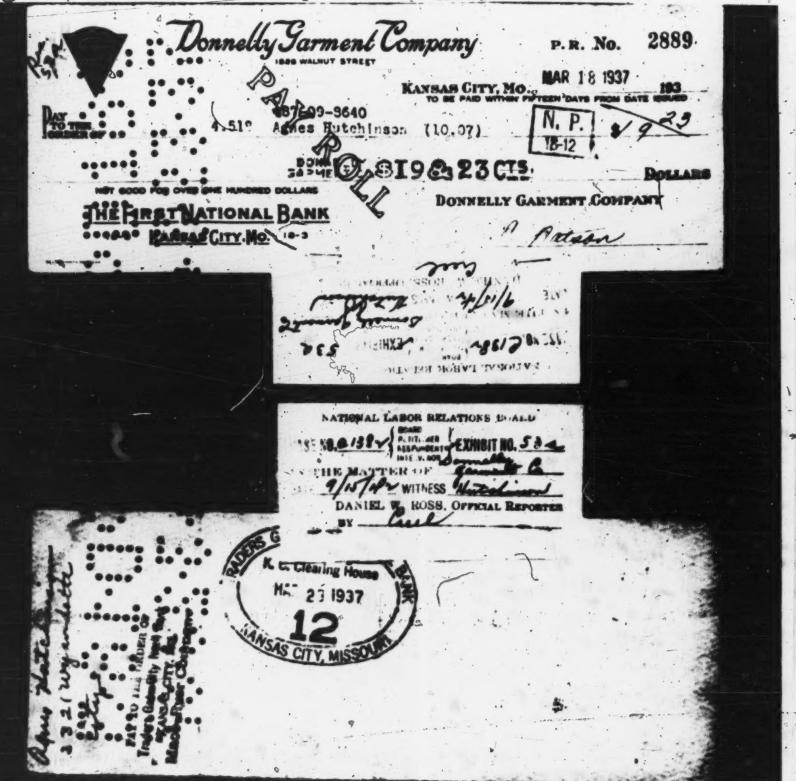




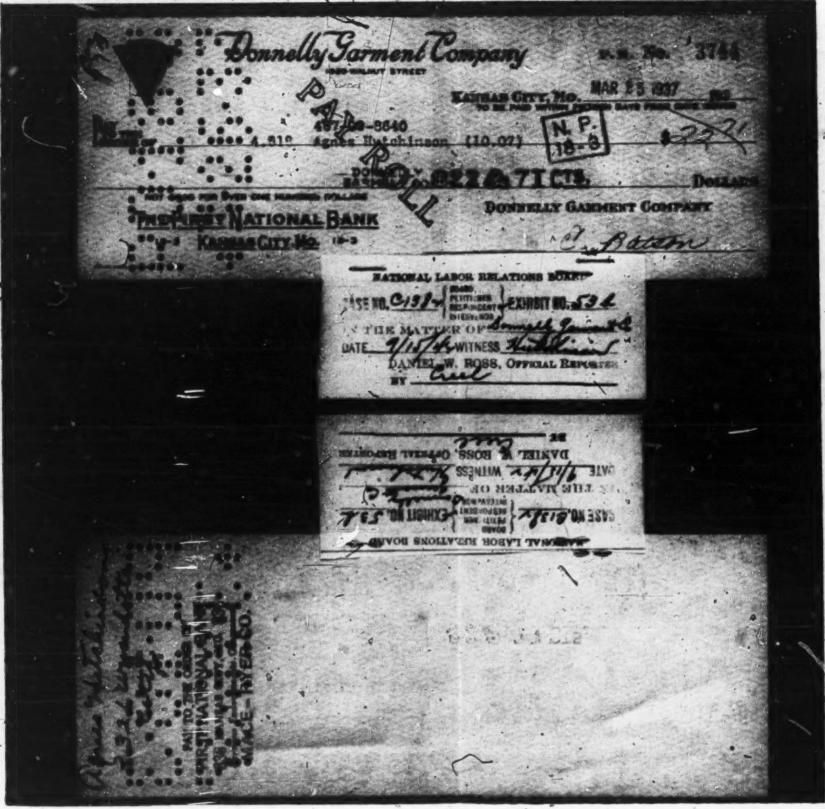


(Respondent's Exhibit 52-H.)

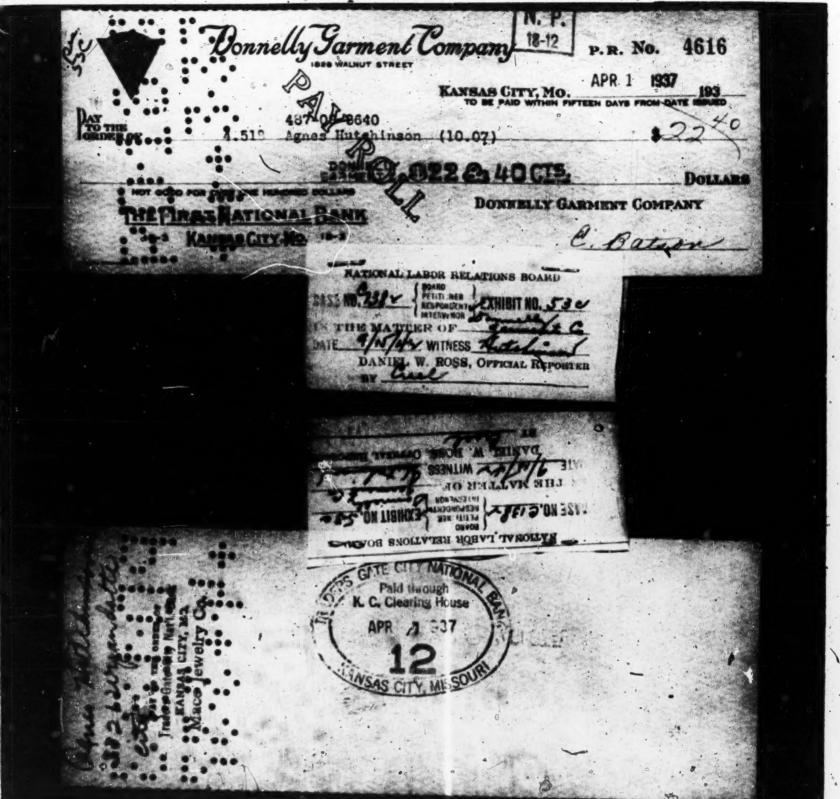


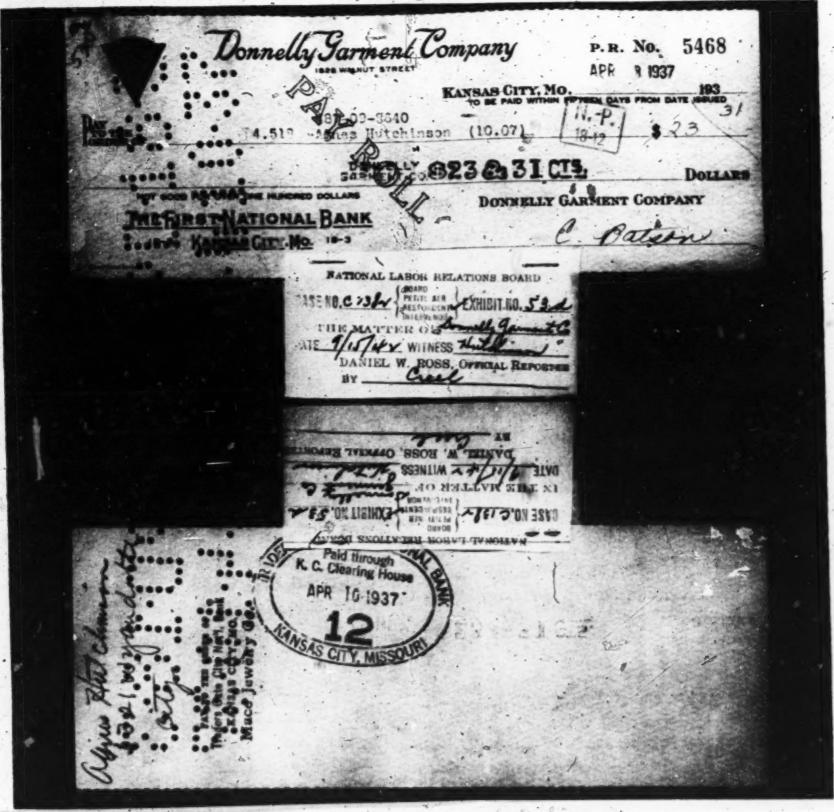


(Respondent's Exhibit 53-B.)

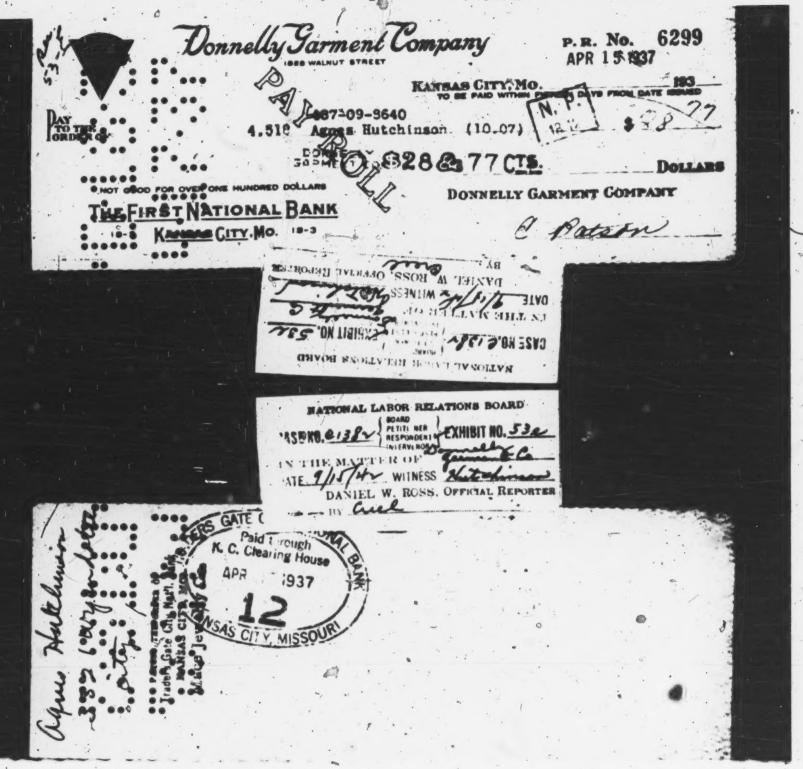


(Respondent's Exhibit 53-C.)

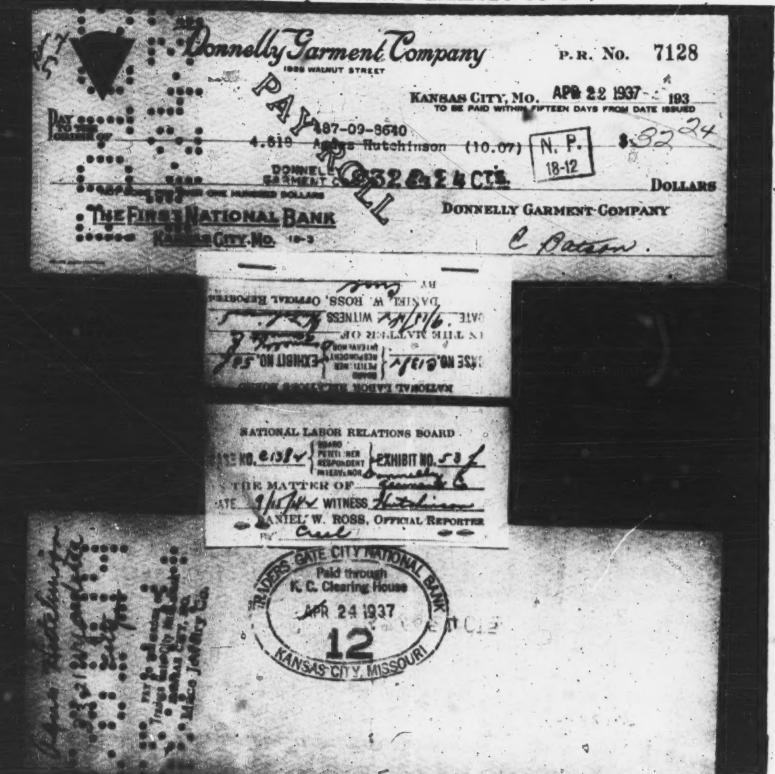




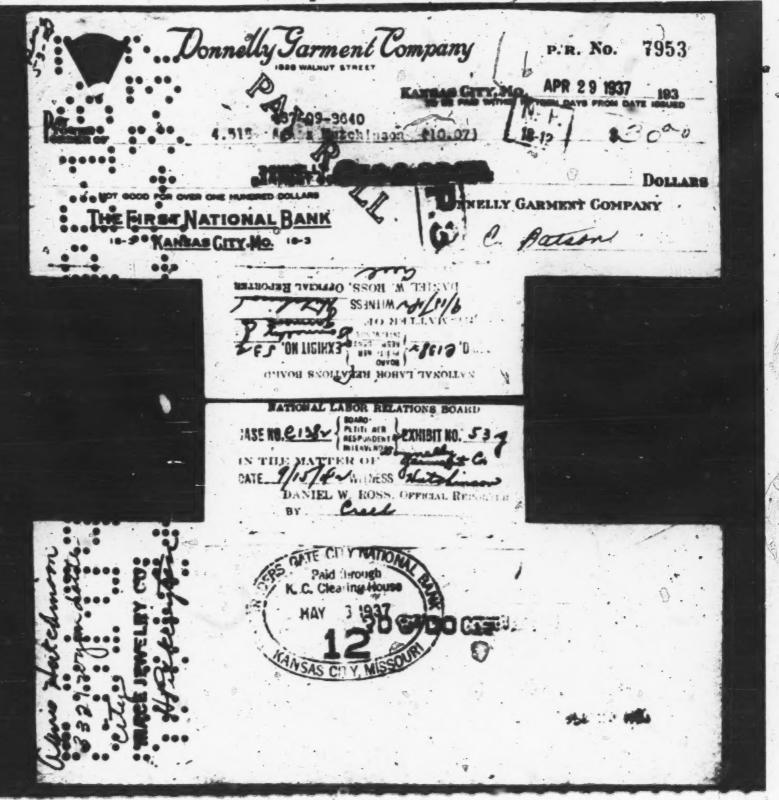
(Respondent's Exhibit 53-E.)



(Respondent's Exhibit 53-F.)

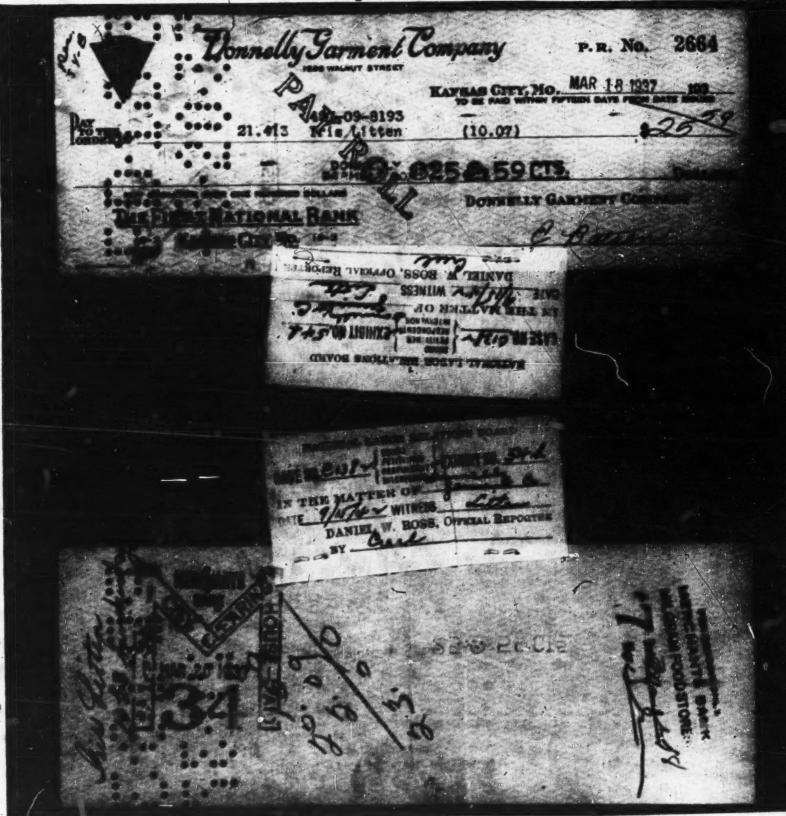


(Respondent's Exhibit 53-G.)



(Respondent's Exhibit 53-H.) Donnelly Garment Company P.R. No. 8769 gnes Hutchinson (10.07) NATIONAL BANK . Austr

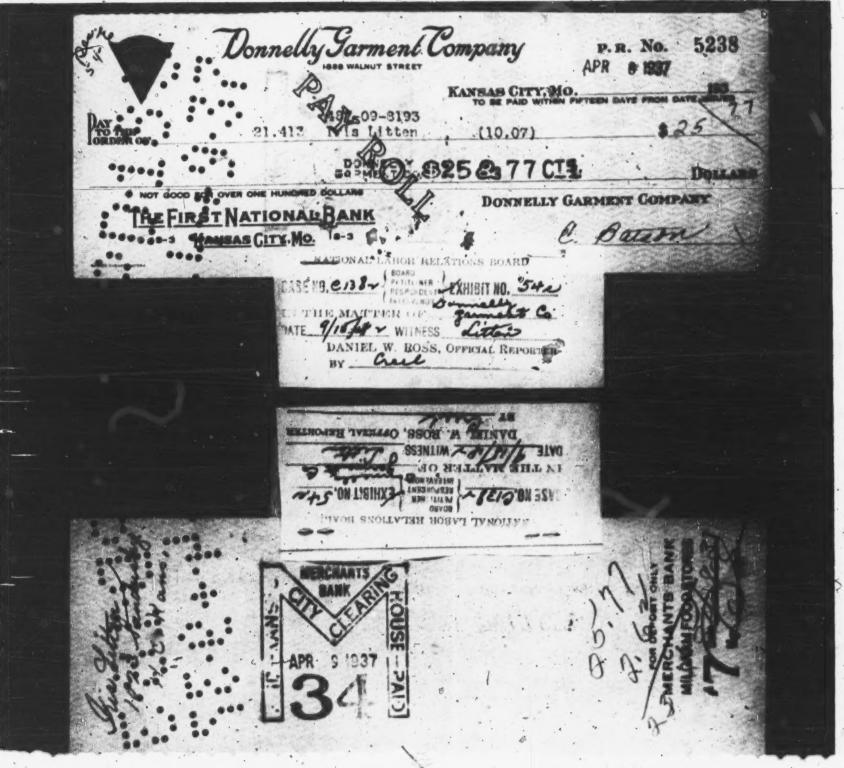
(Respondent's Exhibit 54-A.) P.R. No. KANSAS CITY, MO. (10.07) NATIONAL LABOR RELATIONS BOALD



(Respondent's Exhibit 54-C.)





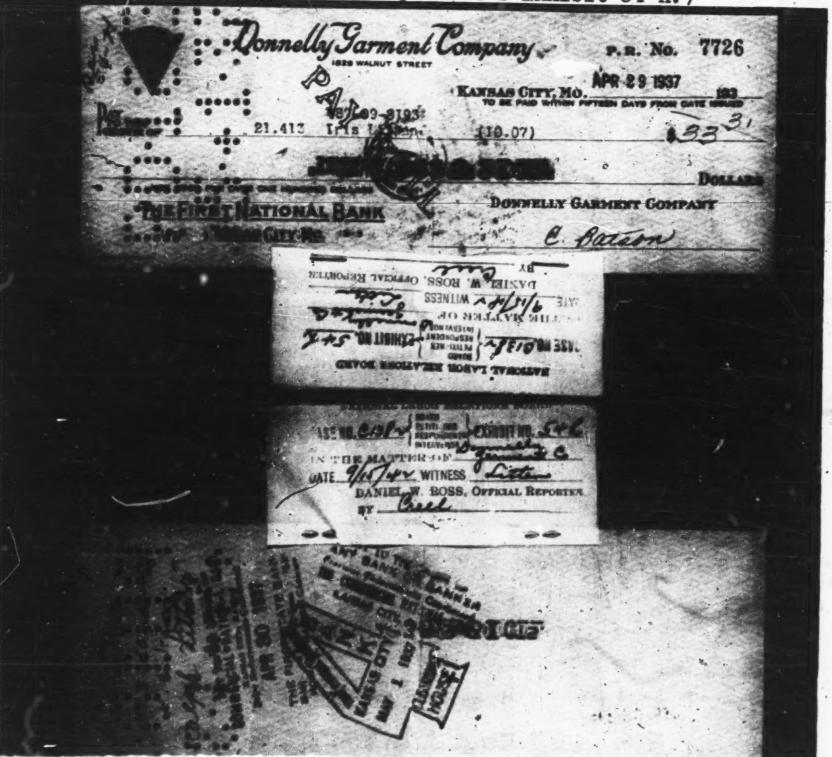


(Respondent's Exhibit 54-F.)

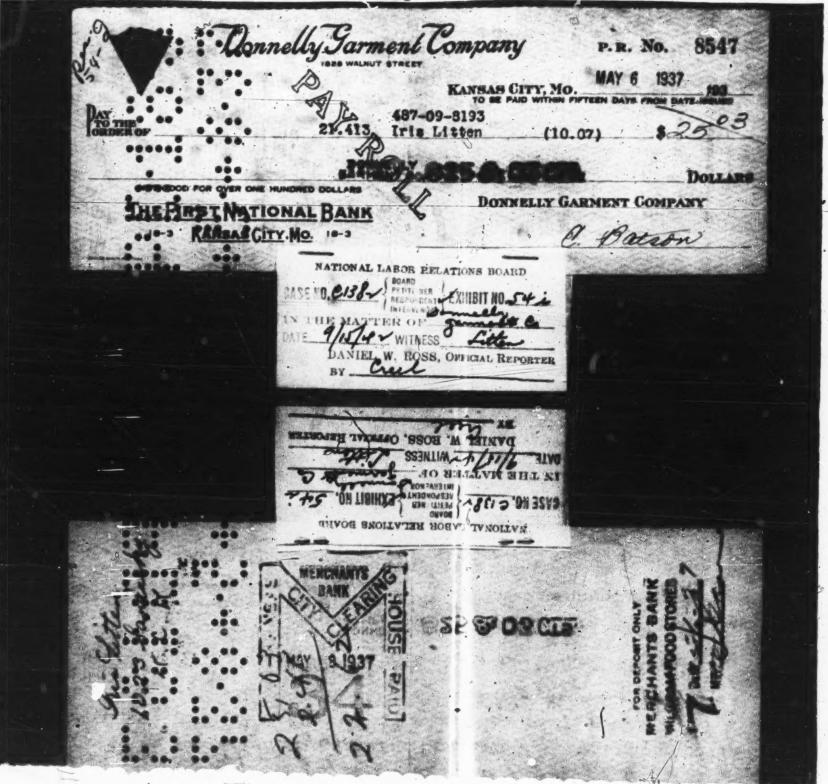


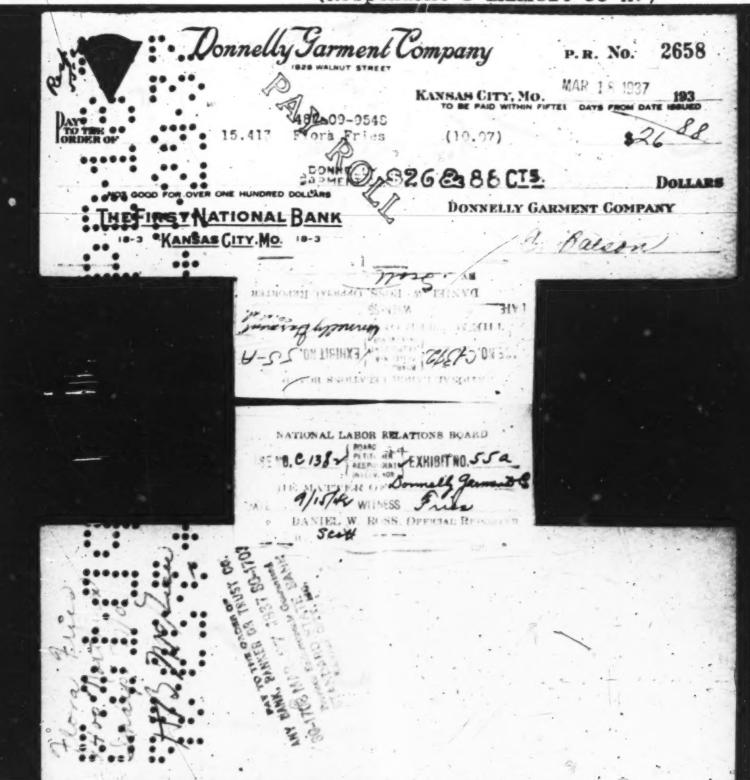


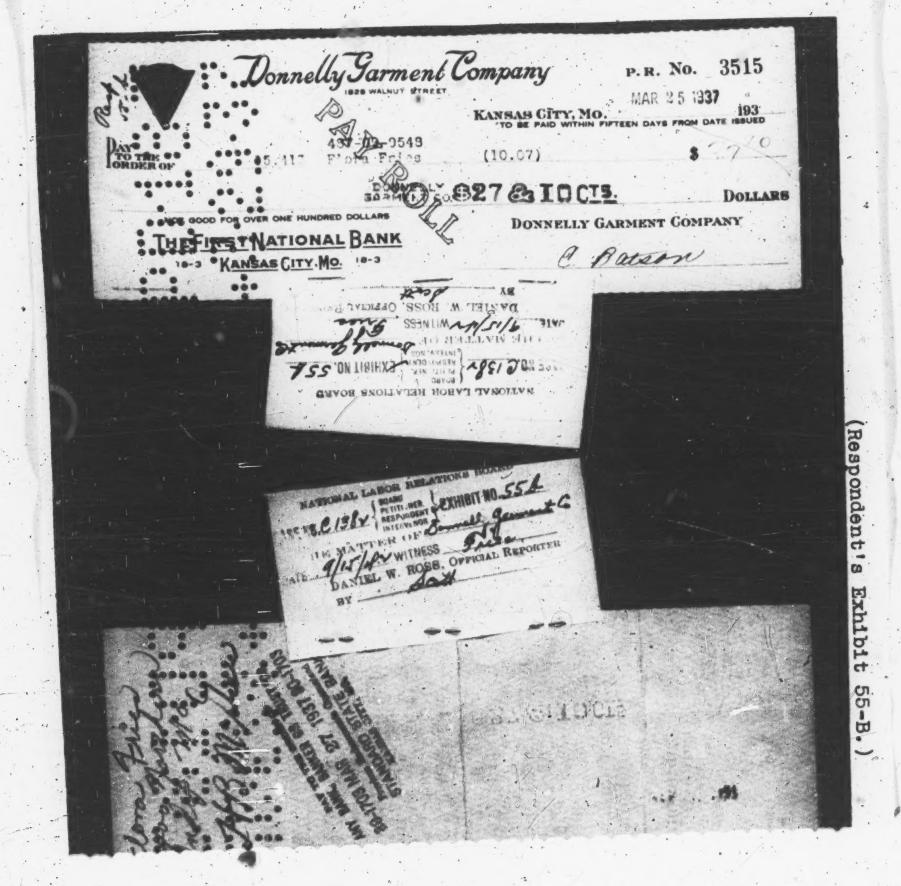
(Respondent's Exhibit 54-H.)



(Respondent's Exhibit 54-I.)

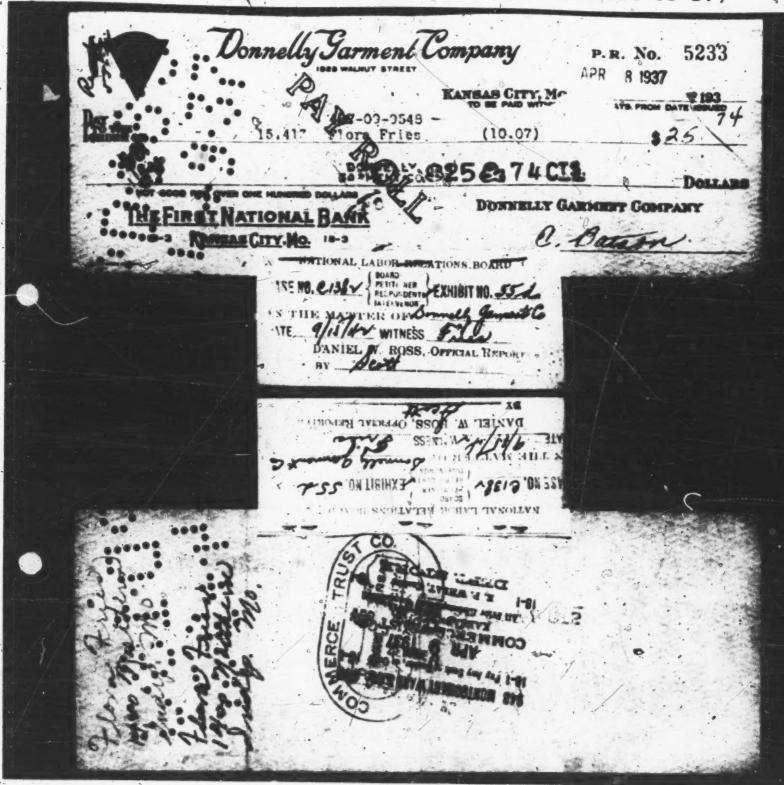


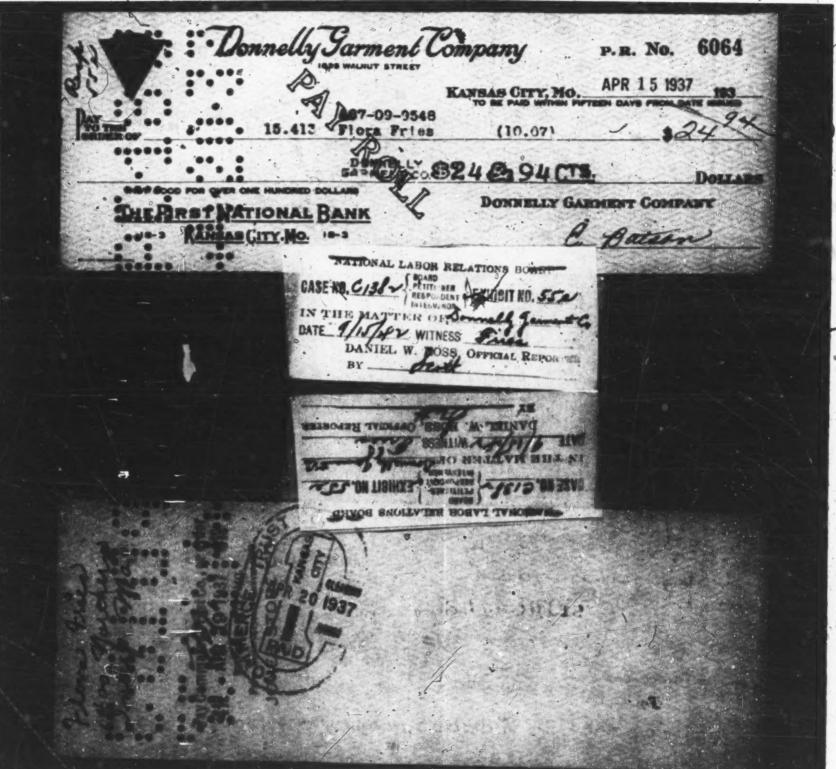


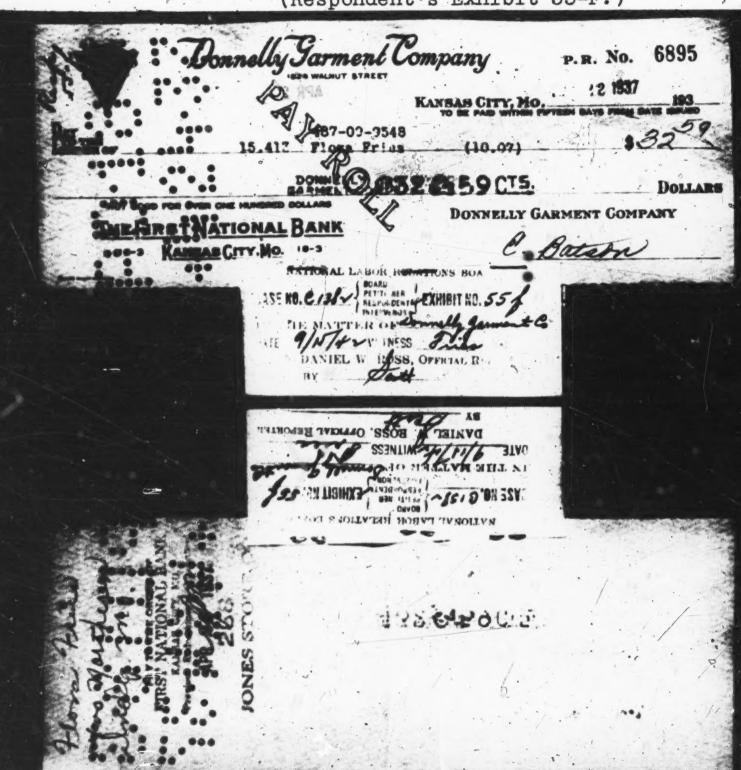


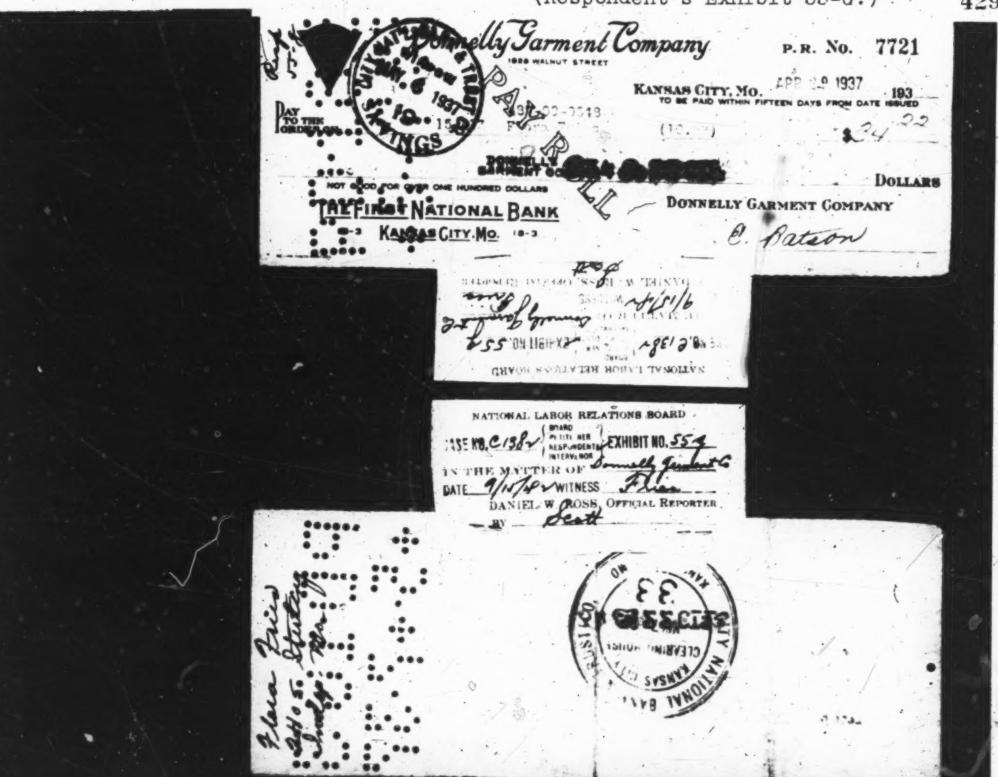
(Respondent's Exhibit 55-C.)



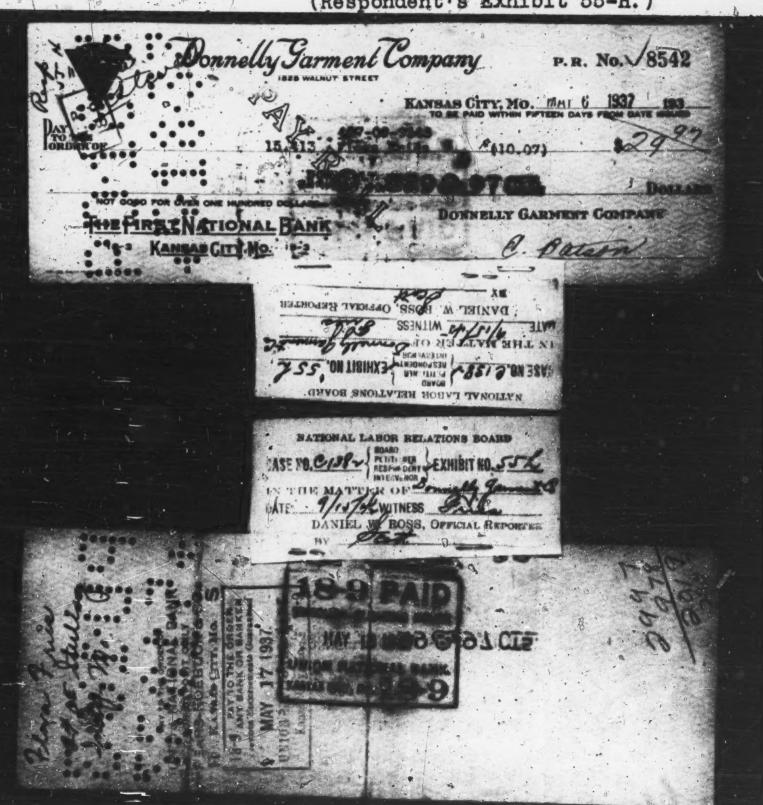


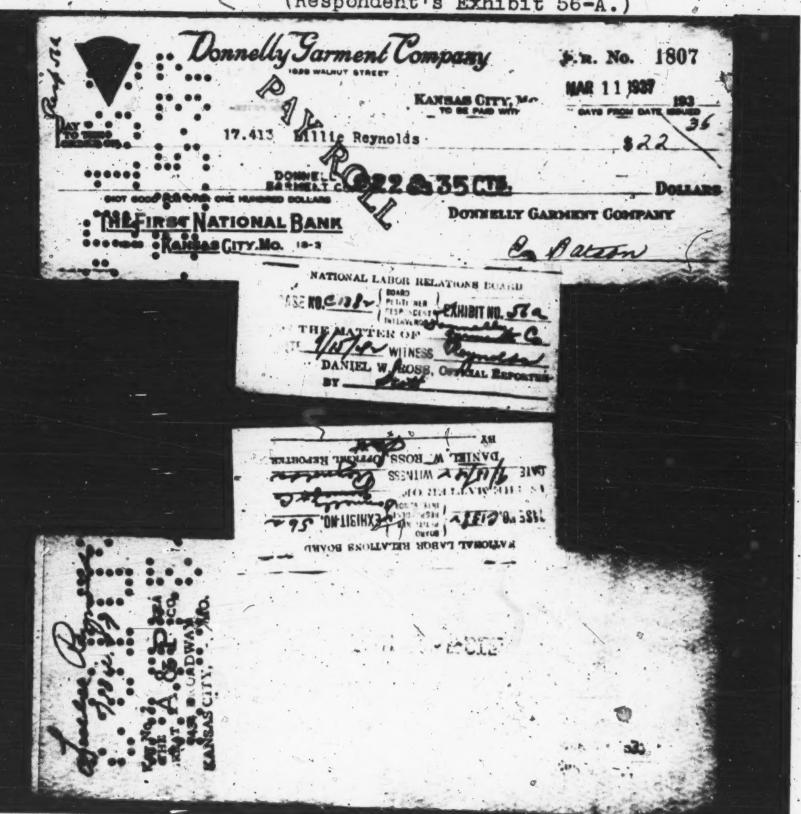






(Respondent's Exhibit 55-H.)

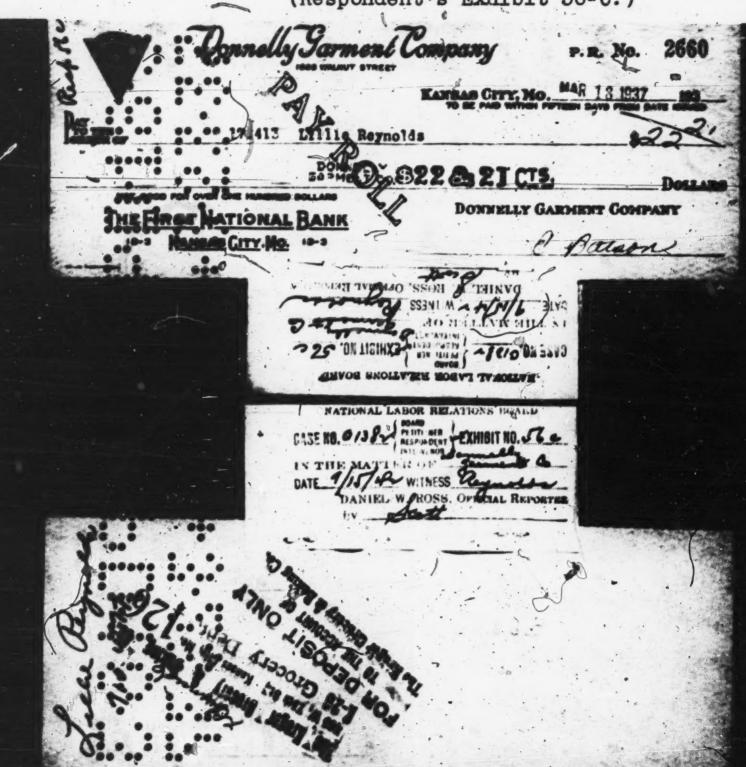


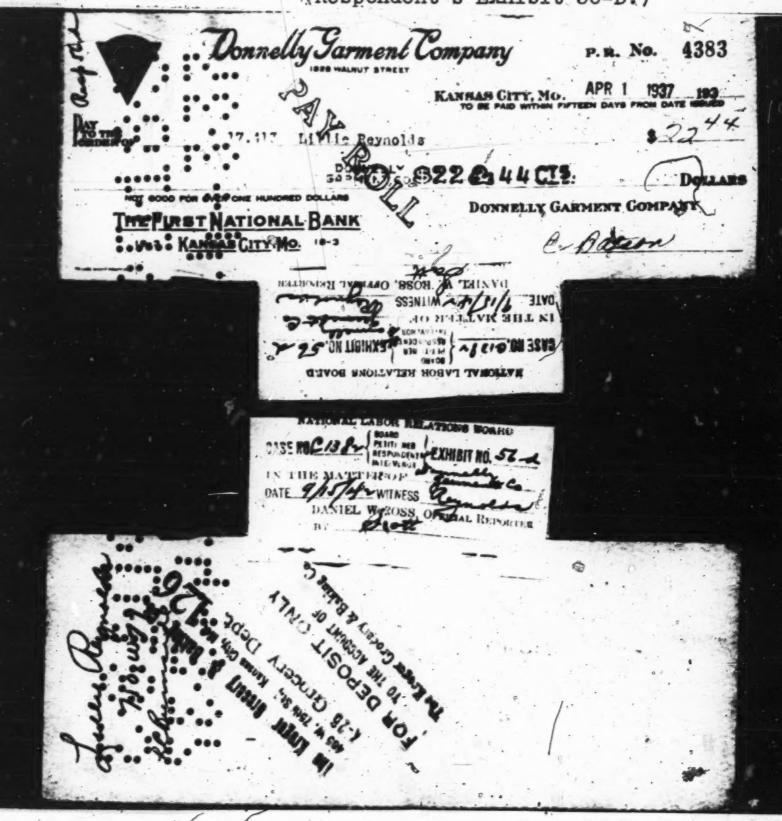


(Respondent's Exhibit 56-B.)



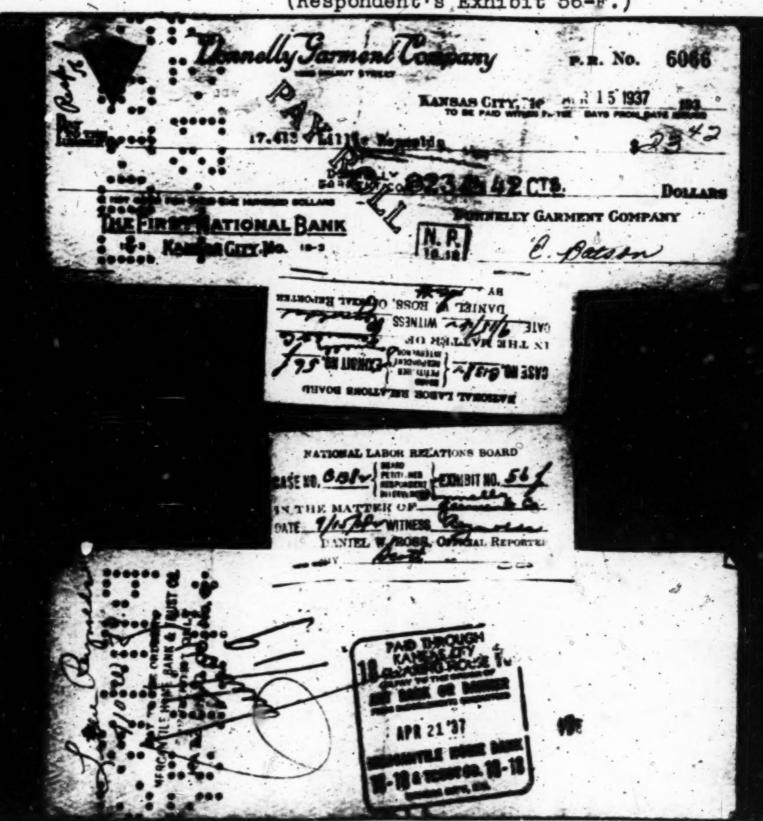
(Respondent's Exhibit 56-C.)



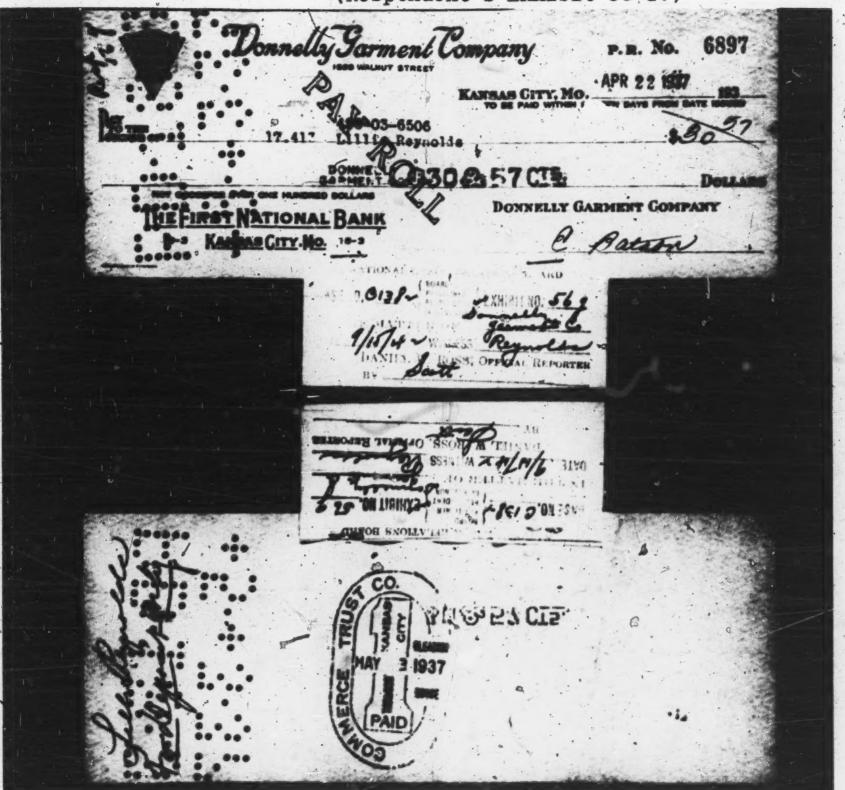


(Respondent's Exhibit 56-E.)

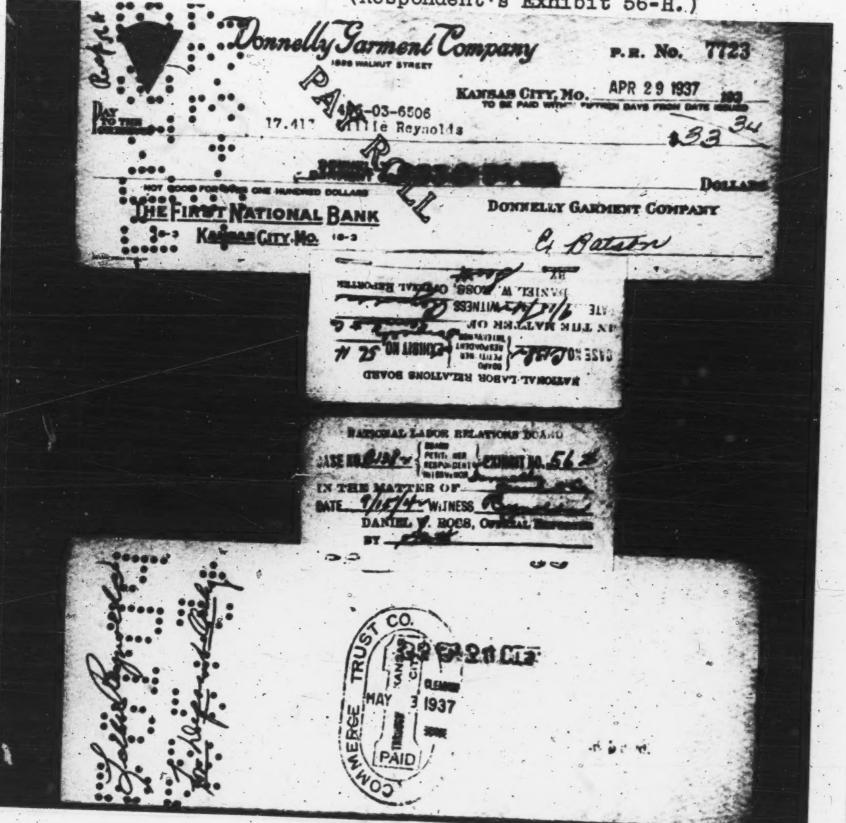




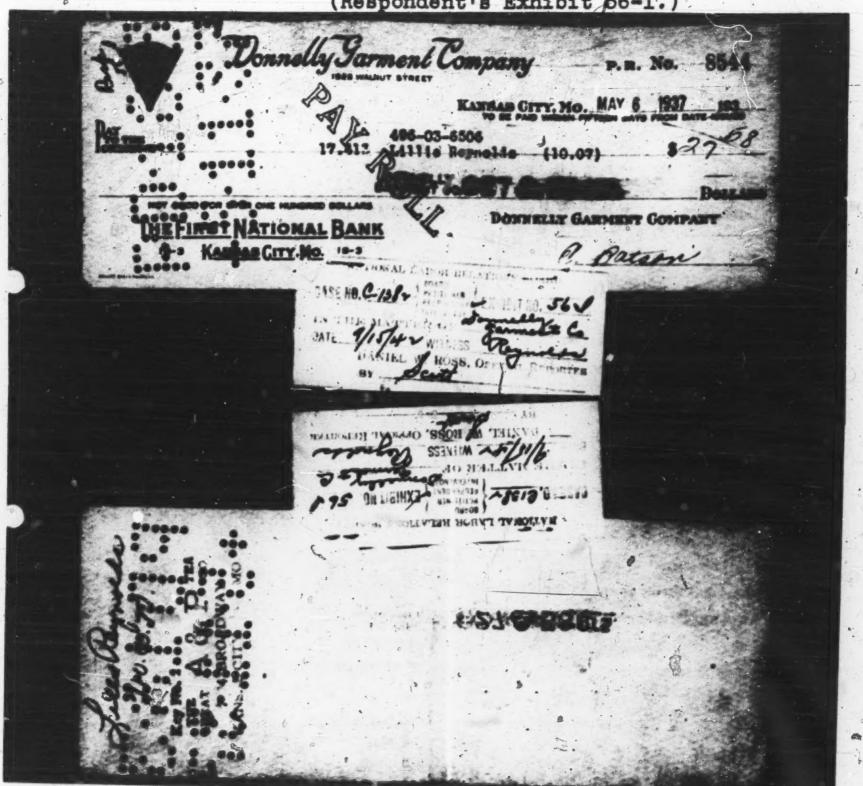
(Respondent's Exhibit 56-G.)



(Respondent's Exhibit 56-H.)



(Respondent's Exhibit 66-I.)



Per mis

PIECE WORK OPERATORS

Comparative Earnings

First Six Months - 1937 and 1938

	Januar	through June	
Section 411 (Operators)	Hours	Amount	Per Hour
James, Lutie, Proctor, May Donnelly, Helen, Perry, Laura Beal, Jane,	1,035.40 1,044.55 781 1,058.20 1,104	481.23 633.38 397.04 484.64 529.59	.4646 .6061 .5083 .4579
Section 412 (Operators)			
Walton, Helen Copenhaver, Maude, Schneider, Ethel, Voorhees, Emma Koll, Edith	1,058.50 1,098 1,088.45 1,057 1,040.2E	611.71 649.43 627.47 699.01 550.56	.5777 .5913 .6763 .6612 .5291
Section 413 (Operators)			
Richardson, Marie Hardman, Hazel Kammer, Pauline Liberman, Eva Tattershall, Edna	1,071 1,130 1,075 1,033 1,074	514.19 556.31 480.50 523.92 476.65	.4801 .4923 .4469 .5071 .4438
Section 414 (Operators)			
Shelton, Blanche Martin Black, Pearl Barnes, Lois Engle, Inez Leger, Margaret Section 415 (Operators) NATIONAL LABOR RELATIONAL RELATIONAL LABOR RELATIONAL	1,098 1,084 1,073.45 1,142.40 1,130	607.57 582.70 580.91 597.64 677.33	.5533 .5375 .5410 .523 .5993
Section 415 (Operators) NATIONAL LABOR RELATION AL LABOR RELATION AL LABOR RELATION AL LABOR RESPONDENT EXPERIMENTAL EXPENSION ASSENCE.	HBITHOS 74		
		696.29 604.50 757.32	.6447 .538 .7331
Riegel, Ethel Clark, Bessie Brewer, Hylda IN THE MADE WITNESS DATE DANIEL W. ROSS, OF	1,113.25	661.91 546.06	₹5944 •5296

(Respondent's Exhibit 57.4321

Hours	Amount	Average Per Hour
933 902.50 930.30 741.60	516.99 602.81 591.87 421.24 537.06	.5530 .6676 .6360 .5678 .5939
882	599.88	.6800
925	762.54	.8240
941	651.59	.6924
958.40	706.75	.7372
883.45	556.39	.6295
1,034.45	605.73	.5853
949	514.96	.5426
988.50	502.42	.508
954.50	623.28	.6533
974.45	521.69	.5554
939	543.46	.5785
951	595.75	.6264
1,009	629.07	.6233
961.40	617.51	.6421
872	592.97	.6800
859 1,017 907.45 957.05 921.20	625.75 687.62 754.58 687.97 523.49	.7284 .6761 .8312 .7188

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Piece Work Operators (Continued

Comparative Earnings

First Six Months - 1937 and 1938

	Januar	January through June, 1937	
	Hours	Amount	Average Per Hour
Section 516 (Operators)			
Cawthorn, Sinie	973.20	341.29	,3506
Kelly, Etha	1,056.30	475.71	.4502
Frye, Dorothy	1,107.55	511.18	.4613
Anderson, Gladys Raines, Cora	953 1,134.50	460.56 591.26	.4832 .5216
Section 517 (Operators)			
DOCUMENT (SPONESCIS)			
Taylor, Margaret	1,110	512.31	4615
Kellogg, Hazel	1,023.55	410.36	.4009
Broker, Margaret	860	369.48	.4296
Darrell, Ruby Stark	1,128	507.58	.4498
Gulick, Sophia	1,124	485.60	.4319
Section 519 (Operators)	8		
Bogan, Ethel	1,132.40	556.C5	•4909
Willis, Myrtle	0 1,107	501.55	.4523
Kent, Cassie	803	333.06	.4146
Ward, Lucille	1,1.05	490.95	.4442
Jonas, Annie,	1,009.50	491.61	•4470
Section 711 (Operators)			
Dobbs, Opal	1,067	707.30	.6628
Chapman, Jo	1,101	787.35	.7151
Koefoed, Opal	839	354.66	4226
Pittillo, Ethel Foster	1,092.45	678.69	.621
Pittillo, Ethel Poster Quinn, Myrtle Section 811 (Handworkers) NATIONAL LABOR RELATIONAL L	7-8 1,095.45	708.94	.6469
Goodfor Cold (Hondronkons) NATIONAL LABORED NEW	AXHIBIT . C	1.	
Section SII (Handworkers) HA	anner de		
Davis, Edna Priess, Jennie, Rudy, Bessie	1,082.40 1,088	575.78	.531.7
Friess, Jennie,	1,088	474.90	.4364
Rudy, Bessie	S. OFF'C	696.43	.6343
Priess, Jennie, Rudy, Bessie Rust, Jake Richards, Lillian	1,110.50	\$62.77	.5066
Richards, Lillian	1,018	555.69	.5456
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(Respondent's Exhibit 57.)

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Hours	Amount	Per Hour
	a. 4	
. 040 76	307.00	4070
940.35	397.89	•4230 •5104
908	471.30	.519
905.50	565.71	# 6245
912.45	524.25	.5743
(-		
. 1		
923	507.12	.5494
866.55 964.30	395.90 478.53	.4566 .4961
957.30	527.78	.5512
011.30	524.46	.5753
4		
781	441.35	•5648
931	457.93	. 4916
944.40	429.74	.4549
940.45 991	487.39 521.96	.518 .5267
991	251.90	.5267
1989		
י מביי	007 74	2012
1,020 992.30	705.04	.7917 .7900
1,084.30	586.84	.5411
1,039	704.53	.6779
1,018.20	785.00	•7708
		/
		- Commercial 1
853.30	494.95	.5799
930.30	449.80	.4833
925.45	731.44 559.51	.6946
1.045	667.20	.6037 .6384

Piece Work Operators (Continued)

Comparative Barnings

First Six Months - 1937 and 1938

o ·	Jus	ry through June	
	Hours	Amount	Per Hour
ection 521 (Operators)			
Howe, Kathryn,	857.55	363.92	.4241
Bennett, Pearl	1,025.40	419.09	. 4086
Weinke, Ines	1,029.05	409.38	.3978
Clements, Dorothy,	1,021.35	415.61	.4068
Speaker, Gladys	991.10	449.00	.453
ection 522 (Operators)			Que
Maggio, Alice,	757.40	306.14	.404
Hedley, Elsie	731.90	339.42	.4643
May, Dixie	692.25	276.19	.3988
Lewis, Evelyn	744.50	282.31	.3798
Hinckley, Ethel	802.50	311.06	.3974
ection 523 (Operators)		1	•
Davidson, Augusta	1.049	533.92	•5090
Snell, Violet	1,027	519.49	.5058
Wallace, Juanita	712	293.33	. 4125
Peach, Carrie Rice	1,086	590.31	•5436
Benus, Blanche	TIONS BOAT	312.24	.4331
Peach, Carrie Rice Benus, Blanche ection 524 (Operators) Wilde, Altha Warth, Wary	EXHIBIT 9 570 + C 721 EXHIBIT 9 1.058.45 mc Cattly 1.055.15		
		450.66	-4256
Warth, Mary	mc Report 1,055.15	629.73	-5967
Comstock, Ellen WINE	S\$ OFFICIAL REP. 925.20	483.48	-5224
Elston, Alpha	1.043.25	698.67	-6696
Davis, Betty	1,058.45 1,055.15 925.20 1,043.25 1,075	519.31	.4830
ection 531 (Operators)			
Stark, Dale	1,071	625.45	.5838
Barrett, Elizabeth	998	612.40	.6133
Slankard, Ruby	1,096	664.66	-6063
Samders, Ardath	999	457.02	.4583
Samuela Videon		10100	*****

(Respondent's Exhibit 57.)

Hours	Amount	Per Hour
614 901 866.50 863.50 969.30	286.84 420.40 380.84 402.49 504.47	.4669 .4665 .4393 .4659 .5203
907 925.30 889.50 953.45 944	426.50 448.12 405.82 420.90 467.80	.4703 .4841 .456 .4412 .4319
,029.55 832 848.45 904	561.59 436.60 453.11 461.35	.5452 .5246 .5338 .5101
894	460.92	.5154
946 ,019 659.30	553.36 678.91 398.15 713.96	.5847 .6562 .6037
973	721.27	.7411
902.55	598.28 610.58	.6626 .6805
985 858.30	591.43	.6003 .4855
896	465.68	.5197

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Section 61 (Pressers)

Mills, Ethel
Belcher, Plorence,
Young, Margaret,
Smith, Cecile,
Phipps, Elsie

Section 31

Blackwood, Corrine, Feiser, Elsie Wright, Carrie, Robeson, Mary Maxwell, Seorgia Lee

Piece Work Operators (Continued)

Comparative Rarnings

Pirst Six Wonths - 1937 and 1938

January	through June	1937 Average
Hours	Amount	Per Hour
1,011	526.40	.5206
1,027	526.37	.5124
1,026.40	581.37	.5662
1,045	628.52	.6012
1,099	522.64	.4755
1,180	608.21	.5154
1,183	698.21	.5902
1,083	546.15	.5043
1,152	668.31	.5801
1,195	609.03	.5096

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Janu	ary through	June	, 1938
Hours.	Amount		verage er Hour
	8		
•			
919.50	539.89	3	-5869
961.45	578.88 614.65		.7078
.017	697.53		.6858
998	644.98		.6461

969 587.64 .6064 1,005 677.06 .6737 870 536.19 .6163 1,000 692.46 .6925 1,051 565.19 .5378

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